

CIVIL GOVERNMENT FOR THE
PHILIPPINE ISLANDS.

SPEECH

OF

HON. AUGUSTUS O. BACON,
OF GEORGIA,

IN THE

SENATE OF THE UNITED STATES,

Tuesday, May 20, and Wednesday, May 21, 1902.

WASHINGTON.
1902.



Digitized by the Internet Archive
in 2017 with funding from

This project is made possible by a grant from the Institute of Museum and Library Services as administered by the Pennsylvania Department of Education through the Office of Commonwealth Libraries

S P E E C H
OF
HON. AUGUSTUS O. BACON.

Tuesday, May 20, 1902.

The Senate having under consideration the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes—

Mr. BACON said:

Mr. PRESIDENT: In a colloquy which occurred in the Senate a few days since, while this bill was under consideration, the honorable Senator from Massachusetts [Mr. LODGE], the chairman of the Committee on the Philippines, felicitated himself with the statement that he had made a most complete and exhaustive explanation to the Senate of the provisions of the pending bill. The self-gratulation of the Senator went to the extent of broadly implying that if there was anything not understood in the bill that fact was due to the fault, or deficiency rather, of the one who heard and not from lack of clear and exhaustive explanation on the part of the one who spoke.

At the risk, Mr. President, of falling under this criticism of the honorable Senator, I desire to call attention to some few things connected with or involved in this bill relative to which I think one would search in vain in the speech of the Senator to find any explanation. I say that not only after having heard the speech of the Senator, but after having read it very carefully since its publication. The Senator in the course of his speech said:

The main object of the bill, Mr. President, is, in a word, to replace military by civil government—to advance civil government.

The fact to which I wish to call attention in connection with that declaration on the part of the honorable Senator is that there is now civil government in part in the Philippine Islands, organized under the authority of the war power, which, with the exception of the right to grant permanent franchises and to dispose of lands and the timber thereon and the minerals therein, is, with one or two other exceptions of a trifling nature, full in all the powers which are conferred or sought to be conferred by this bill.

It is true that that is a civil government organized under the war power. In addition there is also upon the statute book to-day a law, which we commonly know as the Spooner law—although it was adopted ultimately as an amendment, we speak of it as the Spooner law—which in all of its particulars and in all of its powers, with the one or two trifling exceptions that I shall mention hereafter, is as full and complete as the bill now sought to be enacted into law, excepting only the provisions with reference to the disposition of lands, or timber thereon and the minerals therein, and the granting of franchises in the islands.

The Senator from Massachusetts further said in the same connection and on the same page of his speech that in the framing of

this bill the utmost pains were taken "that there should be no opportunity given for undue or selfish exploitation," speaking of the islands. The particular point to which I desire to call the attention of the Senate in this connection is that the only difference of a material character between the civil government now organized in part in the islands under the war power and the powers proposed to be given to the Government in this bill is that in the present civil government there is not the power for the exploitation of the islands, and that in the proposed law there is the power for the exploitation of the islands.

I desire to call attention further, Mr. President, because it is still more important, that in the Spooner amendment, which is now the law, are found all the powers sought to be conferred by the proposed law, except that under the special law there can be no exploitation of the islands, but that in the proposed law there can be their unlimited exploitation.

The Senator said that there were two purposes in the framing of this bill which it is proposed to make law, first, to authorize civil government; second, to prevent undue exploitation. It is beyond the possibility of dispute that it does not enlarge the scope of civil government except in the one particular which the Senator says it was intended to guard against, to wit, the furnishing of the opportunity for the exploitation of the properties of the islands.

It is in the lands of a country, in the timber of a country, in the minerals of a country, and in the franchises of a thousand kinds in a country that there are found the opportunities for exploitation. Under the law as it now exists, under which civil government has been organized under the war power, there is no opportunity for exploitation of a permanent character. Under the civil law as it exists upon the statute books—to wit, the Spooner law—there is no opportunity for the exploitation of these resources, but under the proposed law, I repeat, there is every opportunity for its exploitation.

It occurs to me, sir, that the Senator from Massachusetts might have employed some of his time, of which there has been a superabundance, in explaining to the Senate and to the country why it is that there should be such urgency for the passage of a bill, such imperative demand for the passage of a bill, when the only difference of a practical or material character between the law as it will stand after the bill is passed and the law as it now stands is that opportunities will be afforded for exploitation which do not now exist.

* * * * *

Mr. CARMACK. I should like to ask the Senator from Georgia if there is anything to prevent the same persons from organizing themselves into as many different corporations with as many different names as they choose and holding land separately as different corporations?

Mr. BEVERIDGE. There is.

Mr. BACON. There is none, I think.

Mr. FORAKER. I understand there is an express provision prohibiting that.

Mr. BEVERIDGE. There is.

Mr. BACON. I will come to that.

Mr. FORAKER. There is a provision that no corporation shall be interested in more than one tract.

Mr. BACON. I hope the Senators will take me one at a time.

Mr. QUARLES. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. With pleasure. I hope I may be allowed to discharge my duty to the Senator from Wisconsin first, and my obligation, which I am most delighted to recognize, before undertaking to reply to anybody else.

Mr. QUARLES. I simply want to call attention to section 31, which, it seems to me, will require the Senator to modify the proposition he made a few moments ago regarding mining corporations.

Mr. BACON. So far as mining corporations are concerned, I only used that for an illustration; but the Senator from Ohio [Mr. FORAKER] is mistaken, as is the Senator from Wisconsin [Mr. QUARLES], in the implied approval of that, and also in supposing that those are the only classes of corporations in which parties could hold land. Does the Senator forget the building and loan associations which hold real estate ad libitum? I do not know whether there are any building or loan associations in the Philippine Islands, but there might be such associations there for the purpose of buying and selling lands. Would not that be within the purview?

Mr. FORAKER. I call the Senator's attention to the fact that that is expressly prohibited by the provisions of this bill.

Mr. LODGE. It is expressly prohibited by section 77.

Mr. BEVERIDGE. Certainly it is.

Mr. BACON. Building and loan associations are not prohibited in that section; but that is simply an illustration. But, Mr. President, I mean to say that, except where expressly limited, there is no limitation upon the amount of land which may be owned; and those express limitations, instead of being comprehensive, are specific. Why is it that the committee do not say that no corporation shall hold exceeding 5,000 acres? That is simple. That would leave no doubt. What motive can there be in omitting to say so plainly, in so many words, if the purpose is that no corporation shall hold exceeding 5,000 acres of land?

Mr. LODGE. I agree with the Senator that where it is unlimited it is unlimited, and where it is limited it is limited. I agree with the Senator that far.

Mr. BACON. I have often heretofore been greatly illuminated by the Senator from Massachusetts [Mr. LODGE], and on this particular occasion most especially so.

Mr. LODGE. I beg the Senator's pardon. I thought he yielded. I had no desire to interrupt him or to protract his speech.

Mr. BACON. When the Senator from Massachusetts made his speech he was very particular to ask Senators not to interrupt him, and I, on the contrary, invite Senators to interrupt me as much as they wish.

Mr. BEVERIDGE. As the Senator asked a question and looked at me, I wondered whether he wanted an answer from me.

Mr. BACON. I have no objection, of course, though I think it might be well for me to proceed with some degree of continuity; but if it pleases the Senator to interrupt me, I will yield.

Mr. BEVERIDGE. I do not want to interrupt the Senator.

Mr. BACON. It is no interruption in the least. The Senator knows I will yield to him as quickly as to anyone else.

Mr. BEVERIDGE. The Senator asked the question, "Why was it that it was not provided that no corporation should hold more than 5,000 acres of land?" The reason, I think, is clear from the section itself, that in the case of manufacturing or other than agricultural corporations they can not hold more land than is necessary for their factories and works; whereas if we merely said that no corporation, agricultural or otherwise, could own more than 5,000 acres of land, we could permit a manufacturing corporation or any other corporation to own 5,000 acres of land, which would be against public policy. Is that satisfactory to the Senator?

Mr. BACON. If there were a simple line in this section to the effect that no corporation should hold exceeding 5,000 acres of land, it would be an end of the whole matter; but when the bill, while it goes forward and makes specifications, fails to make such a prohibition, the question is, Why does it fail to do so?

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With pleasure.

Mr. BEVERIDGE. I desire to ask the Senator from Georgia whether, if such a provision was inserted in this bill, limiting the holdings of any corporation of any kind to 5,000 acres of land, it would not be true that a manufacturing corporation under that might own 5,000 acres of land?

Mr. BACON. Not at all. There is an express prohibition against manufacturing corporations holding anything except what they actually need for the purposes of their business. If they actually need it, under the bill as it now stands they are authorized to hold it.

Mr. BEVERIDGE. The Senator suggested that there should be a provision here that corporation holdings should be limited to 5,000 acres.

Mr. BACON. No; I beg your pardon.

Mr. BEVERIDGE. If the limitation was to be effective, perhaps, he said. Then, I will ask the Senator, as a lawyer, according to the very well-known maxim, which he will readily recall, whether, if that limitation was put in the bill, a manufacturing corporation might not own 5,000 acres of land if it wanted to?

Mr. BACON. I understand that under the bill, as it now stands, if a manufacturing corporation needs land in its business it is authorized to hold it.

Mr. BEVERIDGE. Certainly.

Mr. BACON. I understand, under the bill as it now stands, if a corporation needs more than that amount, it is authorized to hold it. There is no doubt about that. I understand that, with the exception of agricultural corporations, any corporation which needs in the proper and fixed performance of the functions of its corporate powers more than 5,000 acres, it is authorized to hold them. That is true, I think.

Mr. BEVERIDGE. But, Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. BACON. Certainly.

Mr. BEVERIDGE. If the limitation that the Senator suggests were put in here, then a manufacturing corporation might own

exceeding 5,000 acres of land, although it did not need it in its business. That is the point.

Mr. BACON. Mr. President, I am delighted to see the interest which Senators on the Republican side of the Chamber are developing in this bill. They have heretofore been strangely indifferent to it. They have not only had nothing to say themselves, except when some one of them had a set speech to make, but they have, following the lead of the distinguished Senator from West Virginia [Mr. SCOTT], considered that there was nothing that could be said on this side which could possibly change any opinion, and they have not listened to what has been said upon this side. I am delighted, although it has subjected me to some little disarrangement of my argument, to have them suddenly awakened to the fact that there are questions as to which we on this side of the Chamber are entitled to have discussion and explanation from the other side of the Chamber.

I return now, however, to the original proposition which I made, and that is, whereas it was within the power of the framers of this bill to have put the limitation of 5,000 acres upon all corporations, which would have relieved any question as to whether any corporation had any right to hold over 5,000 acres, they have studiously refrained from putting that general limitation upon it, and have endeavored to show by construction that it is not probable that a corporation will have more than 5,000 acres.

I do not wish to be understood as recognizing the propriety of the 5,000-acre limit, or the explanation of it on that point; that is entirely too much; but I think that the most objectionable part of this proposed legislation is that it affords an opportunity for the exploitation of those islands before the people themselves have the opportunity to say what they wish *done with* them; that the majority here are taking advantage of a time when the people have no voice in the disposition of their properties or in the determination of matters which are to influence and control their future; that in hot haste those now in control of legislation are sacrificing—I will not use that word—subordinating everything to the passage of this bill, the only feature of which, in which, or by which the law will be changed from its present condition in any material point is that it gives an opportunity for the exploitation of the islands.

That is not all, Mr. President. It is giving a power to this Commission of an unlimited character with reference to the disposition of lands and with reference to the disposition of franchises which ought not to be committed to anybody, and which ought not even to be exercised by Congress, in my opinion, at this time, before the status of those islands is definitely decided and before the people have been admitted to a participation in their government. It is not simply an unlimited power which is given, but there is a most remarkable provision in this bill with reference to the rules and regulations which are to be made by this Commission in the disposition of this immense public domain.

It may be that there are some precedents for the peculiar feature of the bill to which I now wish to call attention and which the distinguished Senator from Massachusetts did not think worthy, in his exhaustive explanation, of any comment whatever. That is this: The power of Congress over the public domain is generally considered to be primary. It is generally considered to

be the highest power. This I simply call attention to in passing. These—

Regulations shall not go into effect or have the force of law until they have received the approval of the President, by and through the Secretary of War—

Why that is put in there it is beyond my imagination to conceive—"By and through the Secretary of War"—and they shall also be submitted to Congress—

The point to which I wish to call attention is the succeeding part of the paragraph—

and unless disapproved or amended by Congress at the next ensuing session after their submission they shall at the close of such session have the force and effect of law in the Philippine Islands, when they shall have received the approval of the President, as hereinbefore provided.

In other words, it emancipates the Philippine government from the control of Congress in this most important function of the disposition of this immense territorial domain, for unless there is affirmative action by Congress within the first session these regulations become law. In other words, if by some chance—some of the Senators who do me the honor to give me their attention doubtless think it is a small chance, but still it is a possibility—the House of Representatives should pass under the control of the present minority party, the Senate of course remaining under the control of the dominant party, although the House of Representatives should disapprove of the regulations thus made, the Philippine Commission would be supreme, and the regulations they made for the disposition of the public lands would be law without the approval of Congress and in spite of the disapproval of the House of Representatives. In other words, instead of having the approval of Congress, they are simply subject to the negative of Congress, and that negative must be applied during the first session of Congress thereafter. Now, if there is a precedent for that—

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. I will yield with pleasure, although I should very much like to have the pleasure of hearing the Senator from Indiana in one of his entertaining speeches after I get through.

Mr. BEVERIDGE. The Senator is very kind. He made a remark a moment ago about Senators on this side, from which I now trust he will exclude me. I have listened with patience and interest to the speeches on the other side.

Mr. BACON. I most cheerfully accord that to the Senator.

Mr. BEVERIDGE. And further, I have not made any set speech, but have confined myself to the debates which have occurred on the spur of the moment.

Mr. BACON. That is absolutely true.

Mr. BEVERIDGE. I wish to know if the Senator by his last remark means that Congress could not, after the passage of this bill, pass any act with reference to the Philippine Islands?

Mr. BACON. Undoubtedly not.

Mr. BEVERIDGE. I am afraid the Senator did not weigh his last remark.

Mr. BACON. I do weigh it. I say that upon so grave a matter as the disposition of all the public lands in the Philippine Islands, there ought to be the approval of Congress of whatever is done by the commissioners, and I say this bill does not provide

for the approval of Congress, but, on the contrary, makes what is done by the commissioners final unless at the first session of Congress there shall be a disapproval by Congress. Now, I have weighed those words, and I think they are correct words when weighed. I do not know whether or not the Senator from Indiana heard me.

Mr. BEVERIDGE. I will say that my attention was tempo-
rarily diverted by a remark made to me by our mutual good friend-
the Senator from Massachusetts, and I will be very glad indeed
to hear the Senator repeat his remark, because he never does it.

Mr. BACON. I will, for the benefit of the Senator from Indi-
ana. It may not be necessary to repeat it in the RECORD.

Mr. BEVERIDGE. No.

Mr. BACON. I said that in the disposition of this immense
public domain there ought to be either the direct action of Con-
gress, which should prescribe the manner in which it should be
done, or there ought to be the approval by Congress of the acts
of those to whom this duty is delegated; that this provision of
the pending bill does not require either. It takes the matter away
from Congress, it delegates it to the Commission, and does not
make it subject, so far as a requirement would go, to the ap-
proval of the Congress; but it provides that when they have
made a rule, if it shall be approved by the President, in the ab-
sence of the approval or disapproval by Congress, the immense
public domain shall be disposed of according to the individual
judgment of the several commissioners.

Mr. BEVERIDGE. You mean their collective judgment?

Mr. BACON. Individual and collective.

Mr. BEVERIDGE. Yes.

Mr. BACON. That is the criticism which I make, and if there
is a precedent for that in the administration of the disposition of
the public domain, I am not informed of it. I may be in error in
that regard, but I am not in doubt as to one proposition, and that
is if there is a precedent for it it is open to the same criticism I
make upon this, and that it is not a proper thing to do.

Mr. President, there are a great many things in the bill which
I could spend time in discussing. I will allude to two or three
only, because I want to talk about some other matters, and I
would have been at it a half hour ago if the suggestion I made
had not attracted the antagonism of Senators on the other side of
the Chamber.

I said there were one or two qualifications to the general state-
ment which I had made that this bill conferred no governmental
powers which were not already found in existence under the civil
government organized under the war power and under the civil
government authorized by the Spooner bill, except as to these
matters of the public lands, timber, minerals, and franchises.
Now, there are these several changes in the proposed law. It
makes the commissioners, hereafter appointed by the President,
subject to confirmation by the Senate; but the important fact,
so far as I am able to ascertain, is that there is no limitation to
the terms of the present commissioners and that this measure
confirms them in their office without limitation. It appoints them
for life. If I am incorrect in that respect, I shall be very glad to
be corrected.

It also provides that the highest court shall be composed of
judges who shall be confirmed by the Senate. In the hasty ex-

amination which I have been able to give, I may also be in error in that regard, but as I read it, there is no limitation upon the terms of those judges, and therefore this proposed act tends to the confirmation for all time of those judges now in office. But those are minor matters. As I have said, those are things which are not urgent.

The urgent feature of the bill is that which confers upon the civil government the power to dispose of the properties of which I speak, in the disposition of which there is the opportunity for the exploitation of the islands. I will call attention in this connection to the Spooner bill.

The Spooner bill as originally introduced in Congress was one which had no limitation upon the power of exploitation, and that bill was not only introduced in Congress but it was pressed under whip and spur. Everything was subordinated to it. We were threatened with extra sessions and everything else if it were not passed, and when it was passed, and the provision was put upon it which limited the power of exploitation, it was immediately dropped as a useless piece of furniture, and there has never been any action taken under it.

There has never been any government organized under it. When this provision was put upon it, offered by the senior Senator from Massachusetts [Mr. HOAR], all interest in the bill ceased. As originally introduced it gave to the President the most unlimited power to organize any government which, in his opinion, might seem to be fit and proper. There was no limitation upon his powers. Life, liberty, property, franchises—everything which could be imagined within the range of governmental power—was confided in the President. It was a most important and valuable bill as long as it stood in that shape, but this provision was put upon it.

That no sale or lease or other disposition of the public lands or the timber thereon or the mining rights therein shall be made: *And provided further*, That no franchise shall be granted which is not approved by the President of the United States, and is not in his judgment clearly necessary for the immediate government of the islands and indispensable for the interest of the people thereof, and which can not, without great public mischief, be postponed until the establishment of permanent civil government; and all such franchises shall terminate one year after the establishment of such permanent civil government.

When that amendment was put upon the bill it ceased to be of value, and it has rested in the archives of this Government from that day to this as a piece of worthless paper.

I remember, sir, that when the Spooner bill was pending in the first session of the Fifty-sixth Congress we had from those in civil office in Manila cablegrams to the effect that it was extremely important that the Spooner bill should be passed as quickly as possible. It rested during that session of Congress, and it was not passed. It was taken up in the short and last session of the Fifty-sixth Congress and put through, as I said, under whip and spur, and when in the last moment this amendment was put upon it all interest in it ceased, and there has never been anything done under it since that time.

Mr. President, I will not say that Senators have a purpose in this matter, because that would be offensive to them, and I will not say it outside of the fact that it would be offensive to them, but I do say that the effect of this proposed legislation is what I have described. The effect of this proposed legislation found in the pending bill, and its only material effect, is to put in the power of those who wish to exploit these islands the opportunity

for this exploitation, which does not exist under the present law.

Now, sir, there are a great many reasons why this should not be done. I have suggested that it is not a proper thing to do while this embryonic condition lasts, while these people are not in a position to say what they want done with their own country, and the property and franchises of their own country; and I wish to call the attention of Senators to the fact that so high an authority as General MacArthur himself says that a provision which promotes the opportunity for the exploitation of the islands will defeat the very purpose which they say they have in view in the passage of this bill, and that is to promote the pacification of the islands.

I read from page 887 of the hearings before the Philippine Committee, it being a part of General MacArthur's testimony. The Senator from Tennessee [Mr. CARMACK] is asking him a question:

I mean people selected by the Filipinos themselves and an assembly sharing the government—those men selected by the Filipinos themselves—when it comes to the matter of granting franchises for railroads and things of that sort and for distributing the public lands.

General MACARTHUR. I should like to see that thing deferred as long as possible, except in one instance, and that is in regard to railroads. All other franchises I should like to see held in abeyance until the evolution has progressed a little further. Railroads are essential for everybody's interests.

The part which I read now comes before that. It is on the preceding page, 876:

Senator CARMACK. General, in one of your reports—I have forgotten which one now, whether it was your first or your later report—you speak of the bad effect upon the people—its effect as being a great obstacle to the pacification of the islands—of the effort toward too rapid exploitation of the country. I would be glad for you to tell the committee a little more about that—what you meant by that statement.

General MACARTHUR. I stated pretty clearly in my report that one of the great apprehensions of the people there is that the effect of exploitation will be to deprive them of their resources and relegate them eventually to a position of social inferiority, about which they are very sensitive.

Then comes the part which I have just read, in which he says that he thinks that exploitation of the islands will tend to prevent their proper pacification.

I repeat, I do not intend to charge any purpose upon Senators; I acquit them of purpose; but I want to say to them that the hungry vultures which expect to strike their talons into this prey have been wheeling and circling about this Capitol, and during this debate have perched in the galleries of this Chamber.

Mr. President, I had no idea of occupying so much time upon these features of the bill. I was led to do so—and I have not more than touched some of its important features—by the fact that the statement had been made to the Senate that there had been an exhaustive explanation of the bill, whereas I do not think any has been made at all, except to call attention to the provisions of the bill, which anybody would find out who had the opportunity and the inclination to read it.

But there is no doubt about it that as to the general features of the bill, outside of the matter of exploitation, everything which was said with reference to the Spooner bill, which gave unlimited power to a few men over these islands and of the people of the islands, is true as to this, and what is still more important, the limitations upon that bill preventing exploitation are removed, and now there is practically no limitation whatever. When this bill is passed the matter practically passes from the domain of Congress.

Sir, it is a strange fact that so important a matter as the organization of a government for the Philippine Islands should attract so little attention from the Congress of the United States. It is a strange matter that Senators are willing to take a bill and pass it upon the simple recognition of the fact that it is presented by their party, and as I have every reason to believe, a great many of them have never even read the bill. I say I have reason to believe it, because numbers have stated to me that they have never even read the bill. They are willing to take the judgment of the committee.

The question, What kind of a bill should be passed, is one which should be very largely influenced by the question to which the Senator from Ohio [Mr. FORAKER] alluded in his opening remarks in his recent speech on this subject, and that is whether or not it is the purpose of the United States to retain permanent dominion over these islands; whether it is the purpose to maintain them in a position of colonial dependency, or whether it is the purpose to invest them with free government.

There has been in this regard a great deal of criticism about the debate on the pending bill. Senators have said that the discussion which has been had on that subject really had nothing to do with the question as to the kind of government we ought to provide for the people of those islands, whereas the truth is that it is the great central question about which all other questions with reference to the organization of a government for the islands must necessarily revolve. If it is our purpose permanently to retain these islands, one kind of a government should be framed for them. On the other hand, if it is our purpose not permanently to retain them, if it is the purpose to do what so many Senators said three and four years ago was the intention of this Government, to erect a free government there, then another kind of a government should be framed by us for them at this time.

There is no doubt about the fact that if we are to retain permanent dominion of the Philippine Islands there is but one kind of government which we can have for them. If we are to permanently retain the Philippine Islands it is an impossibility that they can ever occupy any other relation to the people of the United States than the relation of colonies, and their people can only be subjects. It is an impossibility that they can ever have the relation of equals with us in this Government. It is an impossibility that they should ever participate with us in the control of this Government. It is an impossibility that they can ever become States. That would involve, with the population they have, 40 or 50 or 60 Filipino Representatives in the other branch of Congress, according to the apportionment which might be made, and at least two, if not more, Senators in this Chamber, and would involve 50 or 60 electoral votes. The people of the United States would never consent to that. It is an impossibility.

And, sir, his is no new suggestion. It was the foundation upon which was rested the great opposition which was made to the acquisition of these islands, and that was that it presented to the people of the United States the alternative propositions, if we were to acquire and hold these islands, first, whether they would ever consent that they should be incorporated in our body politic as parts of our self-governing community; and second, whether if that were not done the United States would go into the business of colonial government of people who were not

and could not be citizens, but who in the nature of things could only be subjects.

Mr. President, I repeat that the proposition made in the beginning is a vital proposition to-day, and if Senators can see any middle ground, I should be glad for them to point it out. The American people are not divided upon the question whether the Filipinos are to be admitted either now or hereafter into equal participation with us in the control of our governmental affairs. They do not propose that the Philippines shall ever be admitted as one or several States of this Union. The real division among us is not as to that determination by the American people.

The real division is as to what shall be done in view of that determination. You say that the islands should not become a part of the United States and that their people should not be citizens of the United States, and that therefore the islands should be held as colonies and their people as subjects. We say also that the islands should not become part of the United States and that their people should not be admitted to participation with us in the control of our Government, and that being so, we say we should not hold the islands as colonies but should have no political connection with them. In other words, that we should in an orderly and proper way, having due regard to all of our obligations, give the Filipinos a government of their own.

Unless snap judgment is taken upon the people, unless it is done by some act of Congress some time when the people do not know it and have not the power to arrest it, the time will never come when the people of the United States will consent that the Philippine Islands shall become incorporated as a part of our body politic equal with us in the administration and control of this Government.

That being the case, we are remitted to the proposition that if they are not to be so admitted they must be controlled as colonists and as subjects. Mr. President, the term "subjects" is not a pleasant term in our ears. I have never yet seen any Senator who, in discussing our Philippine policy, meets and answers squarely the question whether a man residing in a subject territory who is denied the rights of citizenship in the sovereign country, denied the privilege of taking part in the Government, can be anything else than a subject.

I know that some of the learned Senators who are to follow me—if not immediately, before the close of this debate—can solve that question, if anybody can, and I would be delighted to hear from them a discussion of that proposition and to have them say whether or not it is correct, and whether any man who is subject to the jurisdiction of the United States, living in a part of the territory, if you please, of the United States not incorporated as a part of the United States, who is denied the rights of citizenship, can be anything else but a subject, and if so, what is the relation which he occupies?

If it be true that it is our purpose to hold this people in colonial dependence under circumstances which make it impossible that they can ever be admitted with us in equal participation in the control of this Government, then it is an important fact to be ascertained and to be considered in determining the question what kind of a government we shall give them. If that is our purpose, then our attention should be directed to the framing of a government which shall have that end in view.

If we are going to be permanently committed to a colonial career, if we are going to be permanently committed to the proposition of holding people as subjects who shall never be citizens, then let us in an intelligent way address ourselves to the proposition as to what kind of government it shall be which we shall give them, having that purpose in view.

But if, on the other hand, we have the high and the noble purpose which was entertained and expressed by leading members of the Senate at the time of the acquisition of these islands to establish them in their own nationality and to give them free government, then now is the time for us to act upon that purpose, and we should in acting upon that purpose do one of two things. If the time has not come when we can safely start in that direction, then we should have now no legislation.

I recollect when the Senator from Wisconsin in a speech in the Senate said that we would not be in a position to legislate for these islands until a committee of Congress had gone to the islands and had correctly informed themselves and were prepared to inform Congress of the conditions there. I thought the statement of the Senator was eminently wise, and with a much better knowledge of conditions now I am convinced that there should be this investigation and report by a Congressional committee before we attempt to legislate for the islands. But I submit as sound another proposition.

Unless we have made up our minds that we intend to hold these islands as permanent colonial dependencies of the Government, one of two things ought to be done. We either ought to let things stay as they are—in the control of the civil government, of which we have heard so many very flattering accounts—or we ought to begin with the formation of a government, out of which there shall be ultimately evolved the free government which we design for this people.

So I submit, Mr. President, that the Senator from Ohio [Mr. FORAKER], while he was not, as I thought, altogether correct in his conclusions as to the particular influence which the decision of that question would have upon us, was entirely correct in the statement that the question as to what was our intention in reference to the ultimate disposition of these islands is a most important question for us to consider in determining what shall be the frame of government which we shall make for those islands.

Now, sir, there is another consideration, one I confess that I do not approach with any degree of pleasure, but still one that I think we can not in any recognition of duty turn away from. The character of the war which is waged there is one necessarily to be considered in determining the question whether we shall retain those islands as colonial dependencies of the United States Government.

I will state my reason for that statement. Some of us would be opposed to a colonial government under any circumstances, because we think it is inconsistent with the genius of our institutions; because we think that any advantages which may result from the colonial system will be far outweighed by the evils which must attend such a system; because we believe that a colonial system is not only inconsistent with our form of government, but that it endangers our free institutions in the fact that those things which are necessary to maintain colonial government are antagonistic to the fundamental free principles upon which

our Government was formed, and upon which it has heretofore rested. So under any circumstances there are those of us who would oppose the formation of any colonial government or the holding of colonies as dependencies.

But there are others, Mr. President, who might favor colonial government if it were not attended by any horrors or atrocities or cruelties, who would be opposed to it if colonial dominion can only be secured and maintained by such atrocities and such cruelties as we can not possibly approve.

Therefore, sir, it is most important when we come to the question as to whether or not we will maintain colonial government in the Philippines to consider what has been the means necessary in order to set up the authority of the United States there—to crush out opposition to that authority—and what will be the means necessary in order to maintain hereafter the authority of the United States.

The experience which we have had there in that regard teaches a lesson which can not be misunderstood. That lesson is that the subjection of inferior races is always accomplished only through the much shedding of blood, and that after it has been accomplished such dominion is only maintained through the continued repetitions of the shedding of blood. It is a dominion which is only maintained through the drawn sword. There is nothing new in this. The lesson now presented to us has long since been learned by other nations.

I do not desire, sir, to say anything to the disparagement of the English people, and what I now say has no such purpose. With her colonies England has girdled the globe, and the shedding of their blood is with her a daily work. Most of these are of inferior races, and it is doubtless true that not in many decades has the sun arisen on its mission of life but before it has set it has witnessed the shedding by England of the blood of the people of foreign lands which it thus dominates; and within a time not long ago there was one day when the blood of over 13,000 of those people was shed in order to maintain this policy of the British Government.

It so happened that last year I was at Aden, in Arabia, a British fortress. The first news that we had on landing was that an expedition of British troops had been sent to attack some Arabs in an adjoining province who had defied the British authority, and while we were there the expedition returned, bringing its wounded swinging on the backs of camels, their dead left out on the sand, their blood mingled with that of the Arabs whom they had slain in their expedition.

As I said, I do not say this, Mr. President, in disparagement of the British people. They are among the most civilized and Christian people of the whole earth. But it is an absolute essential of the success of the colonial policy of their Government. There may be some excuse for them, because they are upon a little island and they have to go out to the world. Shut up in their own island, they would famish. But there is no excuse for us.

We have had in the past four years an unfortunate amount of the same experience, and if we are to continue in it; if we are to continue in the policy of colonialism; if we are to endeavor to hold inferior races against their will, it will be necessary for the American people to hold up their hands every day and repeat the prayer of David to be delivered from blood-guiltiness.

Mr. President, I do not desire to discuss at length the subject which we have heard discussed so much of late in this Chamber as to the cruelties and atrocities which have been perpetrated in the Philippine Islands by our troops, and I only allude to it for the purpose of drawing a lesson. I only allude to it for the purpose of drawing the lesson which I have already stated—that it is an invariable, if you please, a necessary, feature of colonial government, of the domination of inferior races by the superior race, of holding them in subjection against their will, that there shall be continued bloodshed and the opportunity and the exercise of the most shocking cruelties and barbarities.

We have all been shocked at these atrocities and cruelties. I thought at one time I would be able to say that there was no one who would justify and defend them, but I am compelled to say that in this Chamber some have come perilously near it. I want to ask Senators what is the difference between Senators on that side of the Chamber and this? No, I will not put it that way. Mr. President, because it ought not to be that side of the Chamber and this side. What is the difference between Senators who approve of the Philippine policy as it is now exercised and those who disapprove of it on the question of these atrocities?

Of course we know there are vast differences between us as to other matters, but I want to put my finger on the point. What is the difference between Senators who are in favor of the colonial policy and the domination of this people against their will and Senators who are opposed to that policy and who are opposed to the domination of the people against their will? What is the difference between those two classes of Senators on the question of these atrocities?

Do Senators approve of the atrocities there? I can answer for them that they do not. There is not a Senator who will rise in his place and say here that he approves of them. If Senators do not approve of them, by what right do they condemn those who utter their disapproval of them? Would Senators, if these atrocities have been committed, prefer that they should not be disclosed? Would Senators, if those atrocities have been committed, prefer that there should be still opportunity and license for their continuance through their being undiscovered and unknown, or would Senators prefer, the atrocities being perpetrated, that they should be known? And being perpetrated and being known, would Senators prefer that they should be condemned, or would they prefer that they be justified and approved?

Is there an issue of fact between Senators on the other side of this question and ourselves? If there is, there is room for argument. If we charge the atrocities and they deny them, then there is room for question. But when there is no dispute as to the atrocities, when there is no question of fact, the only question is, What shall be our utterance in view of the admitted facts?

Shall we justify and applaud them? If we are to justify these acts, then we are to say that torture, cruel, physical torture, even unto the verge of death, in order to extort information, is justifiable. If we are to justify them, then we are to say that in order to compel the coming in and the surrender of the insurgents in the mountains, who can not otherwise be reached, it is right to kill and destroy the noncombatant population, to burn all their cities and towns, to destroy all their food supplies, and to make the land a howling wilderness. If Senators do not justify these acts, what

is the explanation of their vehement assault upon Senators who condemn them? If they justify them, let them say so plainly and defend them as right and proper. If torture terrible and many times inflicted be not right, and if Senators are not ready to say so in plain, unmistakable language, then the attention of the Senate is not to be diverted and the ears of the American people are not to be stopped by the uproar and din of declamation concerning the honor and glory of the Army.

Now, do Senators differ with us, in view of the fact of these admitted atrocities, as to whether or not they should be approved or condemned? If they are approved, what is the effect? If they are approved, then it is not the act of a part of the Army, but it is assumed as the act of the whole Army and defended as a proper act. Are Senators ready to take that position? If, Mr. President, they are approved, is there any difference between the guilty and the innocent? If they are approved, is there any vindication of the innocent? Can there be any vindication of the innocent except in the condemnation of the guilty?

Sir, who is the friend of the Army? I ask these Senators who assume to be the defenders of the Army the question, Who is the defender of the Army, the man who denounces these atrocities and says they are unworthy of the Army, and the man who denies that they are acts of the Army, and who says that they are the acts of an unworthy part of the Army? Is he the friend of the Army, or is the Senator the friend of the Army who defends the acts and makes no distinction between the guilty and the innocent?

What right have Senators to stand here and assume that they represent the Army? Those of us who represent the policy against colonialism belong to no section. We represent no section. We are here from North and from South, from East and from West. I am glad to say that we are not even confined to one party, and I wish to God it were so that there were nothing to indicate party lines, because it is a question more important than party.

By what right do Senators assume that they represent the Army? Have they any greater interests in the Army than we? Their sons, their brothers are in the Army; so are ours. The sons of their neighbors, and their neighbors themselves, are in the Army; so are ours, and the honor of that Army and of those sons, and brothers, and neighbors is as dear to us as it is to them. The honor of that Army can not be held dearer by them than it is by us, and the honor of the flag it bears can not be dearer to them than it is to us.

They will not rush to its defense more promptly or more eagerly than will we. Their sacrifices in its defense will not be more freely made than will our own. To maintain, to keep it high advanced on every field, those of us representing, I repeat, not one section, but all sections, who are opposed to this policy and who denounce the atrocities which have grown out of it, are as ready as they when that flag is in trouble or in peril to pour out our blood and our treasure, not only in equal amount or proportion with theirs, but without stint and without measurement. Senators on the other side of this question can say no more for themselves or for their people. Who dares take issue with the truth of this statement?

Mr. President, Senators who stand here and denounce these acts and denounce the perpetrators of them, and who claim that

they are the acts of an unlicensed minority who have simply had the opportunity given them by this pernicious policy, and that they are not the acts of the great body of the American Army, are the friends and the champions of the Army, and not those who simply shelter themselves behind a general defense of the acts and draw no distinction between the innocent and the guilty.

Now, sir, I know a great many of those soldiers; I know a great many of those officers. I am not hazarding anything in saying that there are just as many from my State in proportion to the population as from any other State of the Union, and the honor of those men and those officers, some of whom have in their veins my own blood, is as dear to me and to others who stand like I do as it is to those who are opposed to us.

We denounce these acts, Mr. President, not against the Army, but in the name of the Army, and we denounce them in order that the innocent men who are above any such thing should not be confounded with the guilty. We denounce these acts in the name of the Army in order that those whose authorization of and acquiescence in their perpetration, be they high or low, may be arraigned before the great bar of public justice and adjudged in the high court of the American conscience.

Are these atrocities right? If they are, no defense is needed; all that is necessary is to say that they are right. If they are right, there is no need why anybody should be court-martialed or why a cablegram should go across the waters directing that they should be court-martialed. If they are right, then simply say so, and defend them and assume them as the acts of the Army. If they are wrong, condemn them, and condemn those who perpetrated them and let the innocent be vindicated.

Now, it will be said, if that is so, what application has the perpetration of these fiendish tortures to this question? What application has it to this question if they are simply the acts of an unbridled and unlicensed minority? Well, I say that is exactly what I conceive them to be, and the application which I make of it is that we, a free, liberty-loving people, we, the great exponents of republican institutions and free institutions, by sending an army across the ocean to another hemisphere to subjugate and dominate a weak people of an inferior race, have given the opportunity for these acts of atrocity and outrage. And further, Mr. President, the great fact for the consideration of the American people and to be in the present moment applied by them is that the continuance of this policy of colonial subjection and domination gives license and opportunity in the future for the practice of these atrocities.

Mr. President, I submit to Senators that they have not been entirely candid with the Senate and with the country in the discussion of this question. Senators have discussed the question whether or not torture was a legitimate retaliation, when torture and outrage had been inflicted by others, against whom this torture is now directed. The greater part of the speech of the Senator from Massachusetts [Mr. LODGE] was taken up with a recitation of the outrages which had been committed by the Filipinos. Well, who defends them? Who does otherwise than execrate them and condemn these atrocities?

It is possible that there may be such an outrage perpetrated that the party suffering the outrage, or his friends, may be driven

by madness to retaliate. He may be even driven to torture, for which, while there can be no excuse, there may be palliation under such circumstances. But unfortunately for Senators that was not the question. That was not the question, and Senators evaded the true question in the case. The evidence which is upon our tables, taken by the Philippine Committee—and I am going to speak about no facts outside of what have been brought here by testimony—was not as to torture inflicted in retaliation, but as to torture inflicted for the purpose of extorting information and extorting confession.

Now, I ask Senators—they have ample time for reply—is there any justification or palliation for torture inflicted for the purpose not of retaliation, but of extorting information or extorting confession?

That is the question. That is the evidence which is piled up here. Evidence is piled up here that the torture has been inflicted not for retaliation, not in the heat of blood to avenge an outrage, but for the purpose of extorting information and for the purpose of extorting confession. If that is right, Mr. President, let us have the manhood to say so. If it is wrong, let us have the equal manhood to say so, and let us in the pursuit of this matter take such steps as will find out and condemn the guilty and thus vindicate the innocent. If it is right, then we have gone back to the days of the thumbscrew and the rack. If it is wrong, the ears of the American people are not to be stopped by an uproar as to the honor of the Army.

Senators admit the atrocities, but set up the honor of the Army. The attitude of Senators on the other side would seem to be this: The American Army has achieved great glory and honor in the past. It has achieved great glory and honor in the Philippines. It is true that cruel physical torture to extort information is wrong. It is true that it has been largely practiced by some of the army in the Philippines. It is wrong to burn and to devastate a whole country; it is wrong to kill and burn indiscriminately and to convert the land into a howling wilderness. It is true all this is wrong and that all this has been done in the Philippines; but nothing must be said about it; there must be no word of condemnation, because the Army has achieved honor and glory. When, in answer to the charge of atrocities, the cry of the honor of the Army is raised, this is what it means and nothing more.

I repeat, we stand for the real honor of the Army—for the honor of the part of it that has been guilty of no dishonor—and in endeavoring to saddle this upon the guilty and to vindicate the innocent we are doing more for the honor of the Army than Senators who simply propose to make no distinction between the innocent and the guilty and ascribe everything that is said on this subject to an attack upon the Army.

Mr. President, regardless of what we may think about the Philippine question, regardless as to whether we approve of the war in the Philippines or not, we all of us accord full meed of praise to the soldiers who are there doing their duty. It is not for them to ask questions as to the cause in which they fight. It is for them simply to obey orders. The American Army has achieved honor not only elsewhere, but in the Philippine Islands. I stand here, Mr. President, not claiming any special right to defend the Army more than others, but I do stand here to avow my

championship of men whom I know in that Army whom I believe incapable of the atrocities which have been charged against some of them.

Sir, there is a very much more serious question to my mind in this Philippine question than the water torture. When we are arraigned before the bar of public opinion—as we necessarily must be on the question of our responsibility for this torture, this going back three hundred and odd years to torture for the purpose of extorting information and extorting confessions—when we are arraigned for that, I say, before the bar of public opinion the world over, our reply is going to be, and properly, that this was not an act authorized by those high in command; that it was done either by individuals or by small detachments under the charge of subordinate officers, and that we repudiate it and condemn it.

That is going to be the reply. There is nothing else to save our own conscience. But the rejoinder will be that we ought not to have put ourselves in a position where this shame and dishonor could be brought upon us—because it is a shame and a dishonor—even though done without our authority. It is a shame and a dishonor that it is done, but it is a tenfold greater shame and dishonor if done and not condemned by us. In any event the stain is deep, but it is indelible if we do not disclaim it and condemn it. But, as I say, that is our reply. We need not think we are going to escape the judgment of history. We have got to meet this charge at the bar of history just as Spain has had to meet at the bar of history the charge of the atrocities committed by the Duke of Alva. That is to be our reply. Whether it is a good defense or not, it is the defense we will make.

I join in making it, and I join in making it with more confidence because I condemn these acts and I condemn their perpetrators, and because I seek to vindicate those who are innocent of any participation in these crimes. I make the defense with the more confidence because I disclaim it for the Army, and I make it with a consciousness of fault in the fact that we have given the opportunity for these crimes—an opportunity always embraced in every similar condition the world around whenever people put themselves in a position of turning out to take possession of people against their will and of dominating inferior races and controlling them by the sword.

But, Mr. President, I say there is another feature of this case that is a very much more serious one, to my mind, than the torture feature, and the answer that we thus make, and will make, at the bar of public conscience, the answer which we will record in the annals of history—for arraigned we will be, and plead as we must—is that which I have indicated. But there is another feature in which I am afraid we can not make that plea or sustain it if we do make it.

I think that the question of our responsibility for the reconcentrado camps and all that goes with the reconcentrado camps is a very much more serious question than the question of water torture or any other torture inflicted by individuals or small detachments, because there is no possible escape from the fact that the reconcentrado policy has had the direct acquiescence and approval of those in authority, and whatever goes with that necessarily devolves as a responsibility upon those who have thus authorized it and justified it. The burning of houses, the devastation of a country, the destruction of all food crops in a country, the driving of the people out of wide areas into re-

stricted bounds, can not be done by individuals, it can not be done by small detachments, but it must be done under general authority.

Not only so, but we have here the orders of the generals in the field authorizing and directing the creation of reconcentrado camps and prescribing the details under which they shall be organized and maintained. We are apt to think about the reconcentrado camps simply in connection with sufferings which may be endured by those within the camps and, in the case of the Cuban reconcentrado camps, where there was not food, then, of course, all the added horrors of that tropical climate constituted one of the features of the reconcentrado camps; but the greatest horror and the greatest suffering which are occasioned by the reconcentrado camps is not the horror and the suffering within the camp but the horror and the suffering without the camp.

When a general prescribes a certain limited area, within which he says all the people must congregate, there must be the corresponding direction which will enforce that order, and the corresponding direction is that everything outside of those prescribed limits shall be without protection, and both as to property and life be subject to destruction. Only in that way can people be carried within the limits of the reconcentrado camps.

It is because life is unsafe out of them; because life is almost certain to be sacrificed out of them; because all property left outside is to be destroyed; because all houses are to be burned; because the country is to be made a desert waste; because within a camp is a zone of life and without the camp a widespread area of death and desolation. That is what a reconcentrado camp means. Do you suppose, if there is an invitation to people to come within a reconcentrado camp, that they are going to come there unless they are forced there? Is there any way to force them except to say that it is death to remain outside?

Why, Mr. President, when the limited area of a reconcentrado camp is prescribed, the people can not be collected and driven in there. The soldiers can not go out and find them and drive them in as you would a drove of horses. It is only by putting upon them this order, this pressure of life and death that they are made to flee within the limits of the reconcentrado camps to escape the torch and the sword that destroys all without. When a general prescribes a reconcentrado camp—and I am going, before I get through, to read Bell's order to show that that is what it means—when a general prescribes a reconcentrado camp, he practically says that everybody outside must come inside or die; he practically says to his soldiers, those who do not get inside shall be slaughtered; and the practical operation is that those who do not get inside are slaughtered.

Mr. President, I want to read to you a description of a reconcentrado camp. I will say that this letter is written by an officer whom I know personally, and for whom I vouch in my place in the Senate as a high-toned man and a courageous and chivalric officer, one who does his duty regardless of whether he approves of the cause in which he is told to fight or not, and one in every way worthy of confidence and esteem. This was a letter written by him with no injunction of secrecy in it, because he had no idea or thought that it would ever be made public. I make it public now simply for the information of the Senate, in order that they may have some idea of what a reconcentrado camp is.

I omit the name of the place from which the letter was written

for the same reason that I omit the name of the officer. I will not say any more of him than that he is a graduate of West Point and a professional soldier. I will state further that there is some allusion in the letter to vampires. A vampire in those islands is a bird about the size of a crow, which wheels and circles above the head at night and which is plainly visible at night. As I have said, I know the officer personally and vouch for him in every way. Senators will see from the reading of this letter that it is simply the casual and ordinary narration of a friend writing to a friend. He says:

On our way over here we stopped at — in peaceful — to leave our surplus stuff so as to get into—

I have left out these names—

light shape, and as we landed at midnight there they weren't satisfied with bolos and shotguns, but little brown brother actually upon us with brass cannon in that officially quiet burg under efficient civil government. What a farce it all is.

That is his comment on that fact.

Well, consider, 10 miles and over down the coast, we found a great deposit of mud just off the mouth of the river, and after waiting eight hours managed to get over the bar without being stuck but three times—and the tug drew 3 feet.

Then 8 miles up a slimy, winding bayou of a river until at 4 a. m. we struck a piece of spongy ground about 20 feet above the sea level. Now you have us located. It rains continually in a way that would have made Noah marvel. And trails, if you can find one, make the "Slough of Despond" seem like an asphalt pavement. Now, this little spot of black soginess is a reconcentrado pen, with a dead line outside, beyond which everything living is shot.

This corpse-carass stench wafted in and combined with some lovely municipal odors besides makes it slightly unpleasant here.

Upon arrival I found 30 cases of smallpox and average fresh ones of 5 a day, which practically have to be turned out to die. At nightfall clouds of huge vampire bats softly swirl out on their orgies over the dead.

Mosquitoes work in relays and keep up their pestering day and night. There is a pleasing uncertainty as to your being bolloed before morning or being cut down in the long grass or sniped at. It seems way out of the world without a sight of the sea—in fact, more like some suburb of hell.

If that is a suburb of hell, Mr. President, what must hell be! That is a description that applies to more than one, and if you would order an investigation of what has occurred in the Philippine Islands it would, I have no doubt, be found that that was a picture of many. Talk about the hardships of the American soldiers! We do not know anything about them unless we go there and see what they are going through with: and I say it is doubly an outrage if men who are subjected to lives of that kind have to be confused and contaminated with the wretches who have dishonored their uniform in the perpetration of these atrocities of which we hear every day; and it is for those honorable men whom I know that I have raised my voice to-day in condemnation of the perpetrators of these outrages, in order that the innocent may be vindicated and justified and relieved from the imputation of participation in acts that would disgrace not only barbarians, but the very devils in hell themselves.

I say I read that in order that we might have some idea of what a reconcentrado camp is, and the picture of one is in the main feature doubtless a picture of all, with, probably, the smallpox in one case but not in another, with a healthy camp in one case and not in another, etc.; but it is a picture of all as to being a limited zone of life surrounded by a wide area of absolute death and desolation.

Am I right or am I wrong in saying that the question of the responsibility for the reconcentrado camps is infinitely greater and more serious than the question of the responsibility for these

outrages of the water torture or any other kind of torture? In one case it is the act of the unlicensed minority, for whom we disclaim all responsibility except that we have given them the opportunity to do these things, and for whom we can disclaim any further responsibility unless we continue by the pursuance of this policy to give to this element the opportunity for the perpetration of these atrocities.

But when we come to the reconcentrado camps, when we come to plead at the bar of the great conscience of the civilized world, we can not put in any such plea. We can not plead that this was without authority; we can not plead that this was done by some straggler or some indiscreet young lieutenant and a detachment under his command. We are obliged to plead that we did it, and then put in a plea of justification, if we can find it.

It is not pleasant, Mr. President, to talk about these things. I said that when I began. God knows there is not a word that I utter that does not give me pain, and which does not bring a tinge of shame to my cheek. If there were no duty connected with it, I would rather cover it all up out of sight. I would rather, Mr. President, like the dutiful son told of in the Bible story, walk backward that I might not see the nakedness, and cover with my own mantle the shame and the dishonor. But, Mr. President, there is a duty in the matter, a high duty, a duty not to be ignored. What is the duty? The duty is not in the wholesale condemnation of the Army; the duty is not in the justification of those who perpetrate these wrongs; the duty is in the denial of them as the acts of the Army and the denunciation of them as the acts of the minority, so far as the water torture is concerned—the exposure and condemnation of the guilty and the vindication of the innocent.

What is the duty as to the reconcentrado camps? I know of no duty that we can perform relative to them except that of presenting a lesson to the people of the United States in order that they may learn, not only now, but as to all time in the past and for all time in the future, that the domination of inferior races, the holding of weak and unwilling people in unwilling bondage by the terror of the sword has been invariably and will be invariably the history of successive chapters, all of which are chapters of blood.

I have but one purpose, one desire, in saying a single word upon this painful subject, and that is the hope that some feeble word spoken by me may bring the American people to a realization of that fact, that it may be brought to their serious consideration whether or not they will halt on this path of blood or return to their legitimate sphere as a peaceful, a civilized, and a humanitarian people.

Mr. President, there is but one answer to be made to the fact that this reconcentrado business, with all its unutterable and unspeakable horrors, the magnitude and extent and number of which will never be known, for the mountain fastnesses and the jungles will never give up their secrets—there is but one answer to be made, and the American people should look that answer square in the face; and that answer is, it was necessary to accomplish the work which their Army was assigned to do. If it was not necessary in order to accomplish the work, they were acts of unparalleled and unmitigated barbarity, the condemnation of which can not be uttered too loudly or pronounced too emphatically and severely.

But, Mr. President, that is the answer that will be made, that

the task assigned them in that difficult country under difficult conditions, with people difficult of identification, and with men who are soldiers and amigos on the same day, with secret contributions, with a people, as stated by the officers of the Army, united, practically unanimous, in their support of what we call insurrection—there is no way to reach those men except by reconcentrado camps.

I say, "what we call insurrection." It is properly called insurrection, because whether we ever had title to that country or not at one time, we have, according to all the laws of nations now a title—a title written by the sword in the blood of that people. There is no doubt about it. We have got now, by the subjugation of that people, a perfect and indefeasible title according to all the laws of war and of nations. So it is "insurrection." It is not always, Mr. President, that such titles are founded in right. I do not undertake to go into that question, but I admit, and not only admit, but assert, that the title of the United States to the Philippine Islands by conquest, if in no other way, is absolute and perfect, and that, therefore, those who oppose the domination of the United States are in insurrection.

And thus so it is, Mr. President, the answer will be made that there is no other way of dealing with the insurrection except by this reconcentrado order. And from these conditions have come the remarkable and astounding evolution that events which had their origin in the utter abhorrence and detestation of the people of the United States with the reconcentrado camps in Cuba have resulted in reconcentrado camps in the Philippine Islands as a necessary policy of the United States; therefore it is that the question is presented directly to the American people, which they should look squarely in the face. Conceding that it is necessary—and there is no other position we can take in honor—are the people of the United States ready and willing to continue a policy which commits them not only to the practice, but which demands of them the justification, of the reconcentrado policy with all its horrors?

If we are to continue in that which caused it, we can not escape by saying that we did not expect this when we went into it, and now it is past; for if it has been necessary in the past it will be necessary again in the future. We may announce that the Philippine question is ended, and all parties in this country may acquiesce in it; we may try to make an end of it; but, Mr. President, 10,000,000 people, in whom there is an almost absolute unanimity—if the soldiers and officers in that country, those who are most directly brought in contact with the people, are to be credited—in their desires for nationality will bide their time, and there will be insurrections; and those insurrections will present again the same conditions as those that now exist, and there must again be barbarities, there must again be reconcentrado camps, a zone of life and a wide area of death and desolation.

And, sir, so long as there is continued the present effort to hold and dominate against their will 10,000,000 people of a different race strongly imbued, not only with the sentiment of nationality but with the passion for nationality, a sentiment so universal and so strong that they are ready to die for it, so long will there be with us the great issue agitating the American people, Shall we keep them in bondage or shall we set them free? The cause for this agitation will not end with the crushing out of the pres-

ent resistance to American authority. With the widespread and deep-seated passion for Filipino nationality evidenced by their struggle of centuries with the Spaniards and by their determined resistance to American rule, each crushing of rebellion, each pacification by the sword will be followed in time by renewed uprisings and in their turn by bloody repressions.

But, sir, I have hope that this condition will not always continue. For years the ears of our people have been deafened by the roar of victorious cannon, and their eyes have been blinded by the glare of successful war. But at last their attention has been arrested. They are beginning now both to hear and to see. If to maintain American rule there must be these recurring scenes of bloodshed, if to enforce subjection there must be the slaughter of the people and the burning of their cities and towns and the destruction of all their food supplies, the hearts and consciences of at least a part of the American people will cry out against the policy of colonial dominion at so fearful a cost.

Mr. President, I have no excuse or palliation to offer for Filipinos who have been guilty of atrocities upon American soldiers or upon Filipinos who have adhered to the American cause. I have no doubt there have been atrocities and barbarities committed by the Filipinos, and for them I have only execration and condemnation. I make every allowance and give every consideration for harsh measures adopted by American soldiers in retaliation for such cruelties and outrages. But such allowance and such consideration do not furnish the excuse or the palliation set up by the Senator from Massachusetts [Mr. LODGE] or the Senator from Ohio [Mr. FORAKER], for unfortunately for the argument of these Senators the testimony does not show that the water torture has been inflicted to avenge those cruelties and outrages; but it does show its frequent infliction to extort information or to extort confession from the victim. It is a revival of the tortures of the barbaric and middle ages, the purpose of which was by physical torture, by the infliction of inhuman and unbearable physical pain, to wring from the agonized and frenzied victim the confession which was demanded—a confession which the poor wretch finally gives regardless of whether it be true or false—anything to be rid of the excruciating agony, anything to stay the hand of the torturer.

Have our torturers in the Philippines equaled the torturers of the bygone age, when they racked the bones and tore the flesh and snapped the quivering nerves? Mr. President, I know not. I turn from it all in unspeakable horror. I sympathize with the soldier who had been in the Philippines and whose testimony was given before the Senate committee and is found printed in their report. He had not looked upon the torture when inflicted, but he could not shut his ears, and he had heard the agonized screams of the victims. Sir, one can understand how cruelty and outrage on the one hand can provoke and in some cases even justify swift vengeance on the part of the other. One can understand how in the fury of retaliation human life may be ferociously destroyed. But, sir, no outrage can justify deliberate and cruel physical torture. It is from human weakness, true, that cruelty and outrage inflicted by others may so arouse the mighty passions of hate and vengeance that they constitute a palliation for those who in the fury of their passions inflict physical torture upon the perpetrators of these cruelties and outrages. If the tortures inflicted in

the Philippines have been inflicted in the outburst of passion in retaliation for cruelties and outrages perpetrated upon American soldiers, then the argument of palliation presented by Senators would be good to the extent of palliation. But, I repeat, these tortures have not been inflicted in retaliation for such cruelties and outrages. The testimony in print and upon our desks is that these tortures were inflicted to extort information and confessions.

Sir, is not this a fearful price? Is it a price the magnitude of which the people of the United States realize? Is it not possible to hope that when they see this river of blood and this country blackened and desolated, the American people will say, "We will not do that which disregards any obligation, but we will find an honorable and safe path out of this horrible situation?"

Mr. President, I am not going to discuss the question which has been raised as to whether or not the atrocities and the outrages and the enormities and the cruelties which have been perpetrated in the Philippine Islands find their justification in precedents created in our civil war. I am not going to discuss it further than to deny it, and I deny it not only for the Southern army, but for the Northern army also.

Sir, as an humble participant in that mighty struggle, a part of the time in the Army of Northern Virginia, I deny it for the Confederate army; and, sir, when I deny it for the Confederate army, is there any Union soldier here who will deny me the right to deny it for the Union Army? Does the Senator from Wisconsin [Mr. SPOONER], a gallant soldier in that Army, dispute the correctness of it when I say there was nothing of that kind within the Union Army? Does the Senator from Ohio [Mr. FORAKER], who followed Sherman across my State in the historic march to the sea, take issue with me in making that denial for the Union Army? Or will the venerable Senator from Connecticut [Mr. HAWLEY], who bore a general's commission in that war, or the Senator from Vermont [Mr. PROCTOR], or the Senator from Pennsylvania [Mr. QUAY], or the Senator from Wyoming [Mr. WARREN], or any other of those who were gallant soldiers upon the Union side, deny me the right to dispute the proposition that any such atrocities were perpetrated by the Union Army in that struggle?

Mr. President, I have a little excerpt which I will read, from the Washington Post of Sunday last, entitled "A question of national honor," and it is as follows:

Those Republicans in Congress who have seen fit to condone the alleged atrocities in the Philippines by comparing them with the work of Grant, Sherman, and Sheridan during the civil war can hardly be complimented upon their taste or their regard for the truths of history. Even if their proposition had any warrant in fact, the argument would be beneath contempt. An act of barbarism committed forty years ago does not excuse inhuman cruelty to-day. As well set up the bloody Duke of Alva as a screen for Hell Roaring Jake Smith to hide behind.

It is not true, however, that the Union armies in the South, or even Quantrell's Confederate guerrillas on the Kansas border, ever practiced such hideous savagery as is charged against certain of our officers in the Philippines. The accusations in question may or may not be well founded—we hope not—but such as they are, true or otherwise, they far exceed in horror anything ever dreamed of in the war of 1861-1865 between the North and South. Every survivor of that tremendous conflict knows that we speak the truth herein. It was a war—a desperate and sanguinary war, a struggle of the Titans—and death and desolation were its fruits. But it was not a ruthless and barbaric orgie, a carnival of ghouls and fiends. To say it is to slander the living and the dead of both sides—the bravest men that ever fought.

War is a fierce and terrible game—a game where life is staked against life, a game which arouses and sets ablaze all the passions of all the furies of hell. Where the battle rages its flame con

sumes everything in its path. There is no doubt about that. I have no doubt about the fact that after each army, both North and South, there were camp followers who were guilty of outrages, but as to there having been any suspicion of authority for the infliction of tortures for the purpose of eliciting information or extorting confession or any possibility of official acquiescence therein, or as to there ever having been anything like a reconcentrado camp, with its zone of life and its widespread area of death, nothing of the kind ever occurred in the civil war, and I am prepared here to denounce the insinuation as untrue.

I wish to narrate two little occurrences in that war which indicate the spirit of those who there contended in that high and fearful drama. One of them relates to our honored friend the Senator from Alabama [Mr. PETTUS], and I narrate it by his consent. In one of the battles before Vicksburg he was captured and carried as a prisoner before General Grant. He was then Colonel Pettus, and as he appeared before General Grant, the General said to him, "Colonel, what are those troops out in front of me?" Colonel Pettus, with the courtesy which so distinguishes him here, said, "General, I must decline to answer that question." General Grant looked him in the eye a moment, and then in a kindly tone said: "You are right, sir," and turning to an officer by his side he said, "Take this gentleman to the rear and treat him kindly." That was General Grant.

Mr. President, the other is an incident which I have seen narrated about General Lee. It comes from Northern sources. I can not give its exact source, but I have no doubt there are many who are familiar with it, as it has been published a number of times. I first saw it in one of a series of war papers published a number of years ago, I think, in Scribner's or the Century; I have forgotten which—probably in the Century. It was at the close of the battle of Gettysburg, and as General Lee rode from that field, so fatal in the cause of which he was the great pillar and support, he came by a young Federal soldier, a mere boy, lying in the grass wounded. The boy, though wounded and unable to rise, still had in him the fire of battle, and, as he recognized that it was a Confederate general, raised himself upon his elbow and shrieked out a cry for the Union.

General Lee, in that moment of a torture of mind that I presume it is difficult for any of us to realize, got down from his horse and went up to the poor boy, laid his hand tenderly upon his head, and said: "My son, I hope you are not much hurt and that you will soon be well."

There was the spirit with which the North and the South fought in that Titanic war and fought to the death. That there were instances of outrage is true of that war as of all other wars, but in the name of the whole country I deny that they deliberately and avowedly disregarded the laws of civilized warfare and set a precedent for the horrors that have been sworn to as the frequent occurrences in the Philippines. I repudiate the charge, and I hope the American people will repudiate it. I say not only that they have never set and precedent in the past, but they will not approve of or condone it in the present; that they hold the honor of their Army too high to defend the act and thereby assume that it is the act of the Army. But they will stamp upon it as the act of an unlicensed minority of the Army which should be driven from its ranks. That is where the judgment of the whole American people should put it. There is no

reason why the aisle in this Chamber should separate Senators in the decision of that question.

Mr. President, it is a difficult thing for me, I confess—it may be that I am what may be considered erratic on the subject—to understand how anybody can regard the Philippine question as a light matter. It is difficult for me to understand how Senators can regard it with levity, as some of them do. It is a difficult thing for me to understand how some Senators, when this great question is in the balance, can consider it a matter not worthy of their time in order that they may be present in the Senate.

But I have passed over one matter about which I wish to say a word. I stated the fact—the most painful and reluctant fact—and which I wish most sincerely could be shown was not the fact, that the reconcentrado policy which had been adopted was necessarily adopted by authority, and I stated that I regarded the reconcentrado policy, with all of its necessary horrible attendants, as on this account a very much more serious matter than the torture business. I stated that in the nature of things it was necessarily a matter within the cognizance of those in authority. But we have more than that. We have the direct authority, sent to the Senate by the Secretary of War, for the statement that they were organized by authority; and I am going to show what that is.

The Senator from Texas [Mr. CULBERSON] introduced a resolution, which the Senate adopted, as a direction to the Secretary of War to send to the Senate certain orders which had been issued in the Philippine Islands relative to the reconcentrado business. I will read the direction. It is embraced in a letter which the Secretary of War sent to the Senate in response thereto, addressed to the President of the Senate.

WAR DEPARTMENT,
Washington, May 7, 1902.

SIR: I have the honor to reply to the following resolution of the Senate, dated May 1, 1902.

Now it quotes the order.

Resolved, That the Secretary of War be, and he is hereby, directed to send to the Senate the following information:

First—

I beg Senators will mark the particular information called for by the resolution—

First. Whether the orders of Brig. Gen. J. F. Bell, dated Batangas, December 8 and 9, 1901, on the subject of reconcentration, addressed to all station commanders, have been officially received by the War Department; and if so, when they were received, by whom they were forwarded, whether they were issued by authority of the major-general commanding in the Philippines or were approved by him, and whether they have been approved or acquiesced in by the War Department.

Second. A copy of the order or orders issued by Brig. Gen. Jacob H. Smith to Maj. L. W. T. Waller, United States Marine Corps, pleaded by the latter in defense before the recent court-martial which tried him at Manila, if the same were in writing, or the date and substance thereof if they were verbally given. Also (a) whether said order or orders were authorized or have been approved by the major-general commanding in the Philippines; and if so, when they were so approved; (b) when said order or orders were received by the War Department, if they have been received, or when it was first known to the War Department that such order or orders were issued, and (c) whether said order or orders have been revoked or countermanded; and if so, when and by whom, giving the terms of the order of revocation.

The Department says:

First. Two orders by Brig. Gen. J. F. Bell, dated Batangas, December 8 and 9, 1901, addressed to all station commanders, copies of which are annexed hereto, were received by the War Department on the 17th day of January, 1902, from Maj. Gen. Adna R. Chaffee, commanding the division of the Phil-

ippines. At the same time the following order by General Bell, dated December 13, 1901, was received at the War Department.

Then there follows in the body of the letter the order of December 13, 1901, but the orders of December 8 and 9, which were specifically called for in the direction of the Senate, are not set out and are not there printed in the RECORD. Now, whether that was an inadvertence or not I do not know. I presume it was. At any rate, the order of December 13 was set out. The orders of December 8 and 9 were not set out, and thereupon a week thereafter the Senator from Texas, noting the fact that the orders had not been set out, procured them and, by request made of the Senate, had them inserted in the RECORD and they are to be found in the RECORD of May 16, 1902.

The order of December 13, 1901, is bad enough, but the orders of December 8 and 9 are infinitely worse. I wish to call attention to the fact that the order of December 8 is an order directly providing for the creation of reconcentrado camps. It is directly in the terms which we used to see published four years ago, issued by Weyler in Cuba. I wish to call attention to the fact, in the reading of this order, that the implication is plain and unavoidable that the reconcentrado camps were to be formed, and that all outside of them was practically doomed to death and destruction. There is practically little difference between the order of General Bell and the order of General Smith, except that Smith went to the extent of prescribing ages, whereas Bell did not make such specification.

Now, it will be seen from the reading that it is a clear order for the creation of reconcentration camps and that the terms of it plainly imply that outside of that it shall be as it is outside this camp, the description of which I read to the Senate, an area in which everything is to be shot, and not only so but an area in which all property is to be destroyed.

BATANGAS, December 8, 1901.

To all Station Commanders:

In order to put an end to enforced contributions now levied by insurgents upon the inhabitants of sparsely settled and outlying barrios and districts by means of intimidation and assassination, commanding officers of all towns now existing in the provinces of Batangas and Laguna, including those at which no garrison is stationed at present, will immediately specify and establish plainly marked limits surrounding each town bounding a zone within which it may be practicable with an average-sized garrison to exercise efficient supervision over and furnish protection to inhabitants (who desire to be peaceful) against the depredations of armed insurgents. These limits may include the barrios which exist sufficiently near the town to be given protection and supervision by the garrison, and should include some ground on which live stock could graze, but so situated that it can be patrolled and watched. All ungarrisoned towns will be garrisoned as soon as troops become available.

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of towns over which they exercise supervision, informing them of the danger of remaining outside of these limits, and that unless they move by December 25 from outlying barrios and districts with all their movable food supplies, including rice, palay, chickens, live stock, etc., to within the limits of the zone established at their own or nearest town, their property (found outside of said zone at said date) will become liable to confiscation or destruction. The people will be permitted to move houses from outlying districts should they desire to do so, or to construct temporary shelter for themselves on any vacant land without compensation to the owner, and no owner will be permitted to deprive them of the privilege of doing so.

In the discretion of commanding officers the prices of necessities of existence may also be regulated in the interest of those thus seeking protection.

As soon as peaceful conditions have been reestablished in the brigade these persons will be encouraged to return to their homes and such assistance be rendered them as may be found practicable.

J. F. BELL,
Brigadier-General, Commanding.

Replying to the direction of the Senate in the resolution of May 1, 1902, that he report, among other things, whether the foregoing order of December 8 by General Bell and the succeeding order on the next day, December 9, "have been approved or acquiesced in by the War Department," the Secretary of War in his communication to the Senate of May 7, 1902, says as follows:

The War Department has not disapproved or interfered in any way with the orders giving effect to this policy, but has aided in their enforcement by directing an increase of the food supply to the Philippines for the purpose of caring for the natives in the concentration camps.

There is one expression in that order by General Bell of December 8, 1901, which may tend to mislead. I say to mislead; I mean according to my view of its meaning. I refer to that portion which says:

Furnish protection to inhabitants * * * against the depredations of armed insurgents.

As if that were to be done for the protection of the people. But that is strangely inconsistent with a subsequent paragraph, in which a limited time is set within which this must be done or else destruction shall follow without. That is on the 8th.

Then, on the 9th, General Bell follows it with an order which it is too long for me to read in full and which I may ask to put in my remarks at length. I will, however, read part of it, and that much of it will go in:

BATANGAS, December 9, 1901.

To all Station Commanders:

A general conviction, which the brigade commander shares, appears to exist that the insurrection in this brigade continues because the greater part of the people, especially the wealthy ones, pretend to desire but in reality do not want peace.

He is not speaking there of soldiers, of course. He is speaking of the people—those who pretend to want peace.

That when all really want peace we can have it promptly. Under such circumstances it is clearly indicated that a policy should be adopted that will as soon as possible make the people want peace, and want it badly.

He is not talking about soldiers. He is not talking about armed people. He is talking about people at home who are pretending to be peaceable and pretending to want peace, and he proposes that what is prescribed in this order shall be perpetrated, not against soldiers, but against the populace.

Then it goes on for a column and a half of fine print with every possible encouragement to license and violence, and enjoining upon the commanding officers not to restrain the young officers, recognizing the fact that the purpose of the order is that the innocent shall suffer with the guilty, and that there shall be a general destruction of all within that zone, where it is intended to make them want peace, and want it badly, saying what I shall read.

Now, continuing this order, the first paragraph of which I have read—

It is an inevitable consequence of war—

This follows the paragraph in which it is said that the purpose is to make the people who pretend to want peace to really want it and to want it badly. Following immediately after the provision in the order of the day before requiring that there should be concentrado camps—not one, but around every station—it proceeds:

It is an inevitable consequence of war that the innocent must generally suffer with the guilty, for when inflicting merited punishment upon a guilty class it is unfortunately at times impossible to avoid the doing of damage to some who do not individually deserve it. Military necessity frequently

precludes the possibility of making discriminations. This is regrettable, but it should be borne in mind that the greatest good to the greatest number can best be brought about by putting a prompt end to insurrection. A short and severe war creates in the aggregate less loss and suffering than benevolent war indefinitely prolonged. For reasons here indicated, which are well known to all, and chief of which is the delay and difficulty in ascertaining the exact truth, it will be impossible to wage war efficiently and at the same time do abstract justice in operations unquestionably essential to putting down an insurrection which has long continued in the territory of this brigade.

Natural and commendable sympathy for suffering and loss and for those with whom friendly relations may have been maintained should therefore take a place subordinate to the doing of whatever may be necessary to bring a people who have not as yet felt the distressing effect of war to a realizing sense of the advantages of peace.

Another paragraph from this order indicates particularly the class of people to be, with their property, specially devoted to destruction:

Another dangerous class of enemies are wealthy sympathizers and contributors, who, though holding no official positions, use all their influence in support of the insurrection, and, while enjoying American protection for themselves, their families, and property, secretly aid, protect, and contribute to insurgents. Chief and most important among this class of disloyal persons are native priests. It may be considered as practically certain that every native priest in the provinces of Batangas and La Laguna is a secret enemy of the Government and in active sympathy with insurgents. These are absolutely our most dangerous enemies—more dangerous even than armed insurgents—because of their unqualified influence. They should be given no exemptions whatever on account of their calling.

Mr. President, read between the lines and taken in connection with the reconcentrado order of the previous day (December 8), what does that mean? What can it mean but an order to every station commander to make a reconcentrado camp, and beyond the limits of that camp to devote to death and destruction all, regardless whether they are innocent or guilty, or whether they are from kindly relations entitled to commiseration and sympathy. It means a destruction so general that it will involve the innocent as well as the guilty, and that the troops must not be deterred in accomplishing this wholesale destruction by the fact that it will involve and destroy the innocent.

It means the organization of a reconcentrado camp at every post within the territory of that brigade, and beyond it everything is to be destroyed in the way of life and property. There is warrant for the opinion that there is little difference between the order of Bell and the order of Smith. Of the order of Smith the Senator from Massachusetts [Mr. LODGE] says in his speech, page 21:

We shudder, and naturally, at the order which is said to have been given, and quoted in the Waller trial, by General Smith.

I wish to read a few sentences from Governor Taft's testimony, which indicate the idea which obtains there as to the extent to which the destruction of property should go. Governor Taft in his testimony, on page 139 of the testimony taken before the committee, in speaking about loyalty required in Batangas, the very territory to which this order of General Bell's particularly applies, said what I shall read:

Governor TAFT. It would seem to follow—

Senator CARMACK. If that were so, then you might excuse such very harsh measures, but only upon that assumption.

Governor TAFT. It would seem to follow, and I think it is more true in Batangas than anywhere else—a reasonable presumption—that if a man's property exposed to the action of the insurgents had not theretofore been destroyed by the insurgents, he had some relation to them which prevented it.

What does that necessarily mean? It means that every vestige of property in that district must be destroyed. If the insurgents destroyed it it was evidence that the man was not in sym-

pathy with the insurgents, but nevertheless his property was destroyed. If it was not destroyed by insurgents it must be destroyed by the Americans, because it was evidence that he was in sympathy with the insurgents. Consequently, according to that rule, the absolute destruction of all property must necessarily follow.

The view stated by Governor Taft was doubtless the view entertained and acted upon by General Bell and his subordinates in the enforcement of this order in the province of Batangas and elsewhere.

Right in this connection I wish to say one word about Governor Taft. I know Governor Taft personally and esteem him very highly. Personally he is a most lovable man. I think him a man of very great ability. I believe him to be a man of absolute integrity. Of course, Governor Taft, charged as he is with a mission in which there is a very fierce contest and a very huge responsibility, must necessarily become a partisan, and I think he has become a partisan and that his views and opinions about matters in the Philippines are necessarily colored by that fact.

I differ from Governor Taft as to a great many of his views and as to a great many of his conclusions. It has been my fortune to have many long conversations with him, and for that reason I know of the difference there is between us. But as to his integrity, as to his truthfulness, as to his loyalty of purpose I have not the slightest misgiving, and as to any statement of fact which he would make I would give him the most unlimited credence. As to his judgment, as to his conclusions, the chances are that we would not agree relative to the Philippines. As an illustration, I know that I differ from him greatly as to his views and opinions of conditions in the Philippines, not on account of what I may know personally, because that is necessarily limited, but because of what I have heard from others who have had the most favorable opportunities for correct observation and information in the islands.

I make this statement in justice to Governor Taft because I believe I know him better than most of the Senators in this Chamber—at least on this side of it—and from my reading of this that he has testified to, and from my criticism upon it it might be thought that I entertained a different opinion. Governor Taft differs most radically in his views of the situation in the Philippine Islands from the vast majority of the officers of the Army in those islands. I have no doubt that he is honest in giving his conclusions, but the fact nevertheless exists that as to the situation there Governor Taft is an optimist and a very enthusiastic one, and that in that he is at variance with the large majority, almost amounting to unanimity, of the officers of the Army who are scattered through the various islands.

I wish to say also with regard to General Chaffee that I know him personally. General Chaffee is a very stern and rugged soldier, but I believe he is an absolutely honest man, and that he is honest in his purposes to attempt to do his duty as he sees it.

It must necessarily be true that both Governor Taft and General Chaffee knew of and indorsed this reconcentrado policy. Governor Taft practically says so in his testimony. Those are matters of opinion as to duty with which I most radically differ from them. I have no doubt in the world that Governor Taft and General Chaffee both take their position upon the ground of

necessity. They can only be justified upon the proposition that in order to perform the task which was given them this was necessary.

Personally I do not agree with them as to the necessity justifying those means, but in anything I say I do not wish to impugn the motives or the integrity of either the one or the other. On the contrary, I wish to bear my testimony to what I believe to be the integrity and loftiness of purpose of each of these men. I think they have been placed in a most unfortunate position. I think that it is the fault of the United States Government that these men have been brought face to face with a situation where, in their opinion, they either had to adopt the course they have pursued or stand convicted before the world for the failure of the task which they had undertaken.

Mr. RAWLINS. Will the Senator permit me?

Mr. BACON. Certainly.

Mr. RAWLINS. In connection with what he has said in relation to General Chaffee, the Senator having met him personally and known his character, I will state that I do not think any of us desire to do him any injustice, but I wish to invite the attention of the Senate to the order or letter of instructions given to General Hughes, and especially to this part of it:

It is to our interest to disarm these people and to keep them disarmed, and any means to that end is advisable.

Prior to this for some two years the torture known as the water cure had been applied for the purpose of getting information as to whereabouts of arms. When I read this order of General Chaffee to General Hughes it seemed to me that it necessarily included a direction to General Hughes to employ torture for the purpose of ascertaining the whereabouts of arms. Perhaps the Senator can give us some information upon that subject.

Mr. BACON. I certainly could not. If I had it I would not give it. I could not appear in the Senate as a witness. I will state, however, that I do not know anything connecting General Chaffee with torture of any kind. I hope and trust, and until I have evidence to the contrary, I will believe that General Chaffee himself has not sanctioned the infliction of torture upon anybody for the purpose of eliciting information.

Mr. SPOONER. That is where the Senator from Georgia differs from the Senator from Utah.

Mr. BACON. The Senator from Utah asked me a question, and I am answering it. I will not believe it, Mr. President. Whether or not there was such a general notoriety of the fact that this torture was inflicted as to make all officers responsible in a degree for the continuance of it, in that they did not suppress it, is another question.

As the Senator asked me about General Chaffee, as I have said, it is a very serious position to put him in—that he had to resort to measures which were not approved by the American people or to stand confessed as a failure. I am very free to say that possibly I would not have so much pride in a question of success as he. I would undoubtedly have said to the American people: "It is impossible to subjugate these people without resorting to these measures, and I will not take the responsibility of doing it." That is what I would have said, and I wish General Chaffee had said it.

Mr. President, I will take opportunity to say one or two things

about General Chaffee that I have heard. I do not know whether they are true or not, but in the hope that they are true I should like to put them into the RECORD. One of them I know is true—at least, I have had it from his own lips—but not the one I am now about to relate.

It is a known fact that we have upon our statute books a law which says that no officer of the Army shall receive any pay or emoluments—I am not quoting the exact language—except his pay and such other things as may be provided by law. It is an admitted fact that while in Cuba a number of our officers had been receiving pay in addition to the pay provided by law. I have been informed, and I hope it is true, that when such money was offered to General Chaffee he refused to receive it, and said that the law provided what he should receive and he would take no more. That I have simply heard. I do not know it to be a fact. If it is true, it should go on the record to his lasting honor.

But, Mr. President, I have no doubt about another fact, that in the campaign in China, when other armies and the officers of other armies disgraced civilization by the rioting and the looting and the massacring of the Chinese people, General Chaffee sternly set his influence and his power against it; and while the officers of other armies not only permitted looting, but had the loot collected together and sold at auction and the proceeds divided out, he condemned it without stint and refused to allow anything of that kind to be done by the American army under his command.

Now, Mr. President, I state that because it is due to him. I regret that he has been put into the position he has, and I regret that he took the view of it which he possibly did take. I have no right to say he took it. I repeat, I would have preferred that he had said, "This work can not be done except by the institution of the reconcentrado policy, and I will not permit it."

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. For a question, certainly.

Mr. BEVERIDGE. From the splendid reputation which the Senator has given General Chaffee as to his conduct in China, I judge that the Senator does not agree with the Senator from Utah [Mr. RAWLINS] that General Chaffee was schooled in savagery in China?

Mr. BACON. I do not know that that is a legitimate question for the Senator to ask me right now.

Mr. BEVERIDGE. Of course if the Senator does not want to answer, I will not insist.

Mr. BACON. I will state that I have a high respect for General Chaffee, and I have very great confidence in his integrity. I think he has viewed matters differently from what I would view them, and I very much regret that he did not take the other course.

* * * * *

Mr. President, I presume it is true that there have been precautions taken in the Philippine Islands which have not permitted the famines which occurred in the reconcentrado camps in Cuba.

As I before stated, I can not be led into making any statement upon my own responsibility, and will not, but I am very anxious that there shall be an examination of this matter and other matters connected with it by committees of Congress who shall go

to the Philippine Islands. I am perfectly satisfied that a full and complete understanding of the situation there and all the occurrences there will never be had from any source until an investigation is made in that way.

The impression I have, and to which I directed the attention of the Senate, which horrified me at the idea of reconcentration or concentration—if the Senator prefers that word—being adopted as the policy of the American Army and justified as a proper method of warfare—I say that that impression is not so much as to what occurs in the camp as to what occurs out of it. But I hope, in justice to ourselves, in order that the American people may know what they are doing, in order that they may guide themselves aright—and they will guide themselves aright if they know—that the Senate and the House of Representatives will see to it that the legislative branch of the Government, through its own members, shall visit the spot and learn the full truth.

Why, Mr. President, there are a good many little things that are beginning to crop out that cast light on this question. The Senator from Ohio [Mr. FORAKER] the other day read, I think, from Dr. Schurman a statement of the humanity of the American Army. I am not prepared to state anything of my own knowledge, but whenever there is an investigation made I have absolute confidence that it will be found that up to the time and after the time that Dr. Schurman wrote, and while he was there, the methods of warfare which were pursued were the methods of warfare practiced among civilized nations, confined to those methods, and that afterwards, for the reasons stated, the conditions were such, the impossibility of dealing with the situation was such, that this changed process was adopted.

Now, there is a little matter here which sheds great light on that.

Mr. BEVERIDGE. Mr. President, does not the Senator think that Governor Taft is an equally credible man with Dr. Schurman?

Mr. BACON. I certainly do. I know Governor Taft, while I do not know Dr. Schurman.

Mr. BEVERIDGE. Governor Taft has also made statements quite as strong as has Dr. Schurman regarding the humanity of the American soldiers since the time that Dr. Schurman spoke of. So that if Governor Taft is equally credible with Dr. Schurman, and the Senator accepts Dr. Schurman's statement, he is bound likewise to accept Governor Taft's statement.

Mr. BACON. Mr. President, I am just stating what I believe. I have no doubt Governor Taft stated what he believed. Governor Taft was in Manila; he was not out on the firing line or the burning lines either.

Mr. BEVERIDGE. He has been all over the islands.

Mr. BACON. Yes, I know; but, Mr. President, as I say, there are little matters which drop out which point pretty unerringly to what the conditions are and what the occurrences have been.

The Senator from Massachusetts [Mr. LODGE] in his speech the other day incorporated something that I had not seen before, which casts some light on this question, about reconcentration and about the zone of death outside of the zone of life, the burning of houses, the destruction of life and of property. It is an extract from the report of Brig. Gen. J. F. Bell, commanding First District, Department of Northern Luzon, Part 3, Report of Lieutenant-General Commanding the Army, 1901, pages 34, 35. This I read from the pamphlet copy of the speech of the Senator from

Massachusetts, delivered on the 5th of May, and appearing on page 26. This is what General Bell says in his report:

I have been in Indian campaigns—

That was in 1901. Possibly, if the report was in 1901, this was the preceding winter—

I have been in Indian campaigns where it took over 100 soldiers to capture each Indian, but the problem here is more difficult on account of the inbred treachery of these people, their great number, and the impossibility of recognizing the actively bad from the only passively so. If it was deemed advisable—

This is the sentence to which I call attention—

If it was deemed advisable to pursue the methods of European nations and armies in suppressing rebellions among Asiatics, the insurrection could have been easily put down months ago; even now, although the seeds of rebellion have permeated all classes, such methods would soon put an end to all active insurrection

Sir, what does that mean? It simply means that up to that time the American Army had been pursuing methods recognized as legitimate in warfare between civilized nations. We all know what is meant by the methods pursued by European nations and European armies in dealing with insurrections in Asia. We know the harshness, the cruelties, the wholesale slaughter, and the absolute indifference to life in the wholesale with which European nations deal with insurrections among Asiatics; and here is the distinct proposition from General Bell in his official report.

He practically says we are waging war along civilized lines and according to civilized rules and we can not put down this insurrection; but if you will throw aside these restraints, if you will turn us loose to burn and slaughter and to massacre and to perpetrate all species of cruelty and barbarity known to the history of wars in Asia, we will put down this rebellion and this insurrection. What else can it mean? If it was not intended that there should be a threat of throwing aside the rules of civilized warfare, why make the suggestion? What else can the suggestion mean but that we shall put aside the rules of civilized warfare which had been observed theretofore, and

Come hot from hell,
Cry "Havoc," and let slip the dogs of war.

Mr. President, I do not desire to turn to that branch of the question suggested by Senators, because my purpose in alluding to it was not through any desire to bring condemnation upon these officers. I should be only delighted in every vindication that can be made of them, consistently with what has actually occurred. But I am not willing that the lesson, which I think should be drawn from this matter, should be lost by failing to mention whatever is necessary to bring it home to the American people.

In connection with this order of General Bell, I simply wish to point the Senate to a statement as to the character of the people in Batangas Province, to which these orders were made to apply and to which they most directly applied.

Mr. BEVERIDGE. By whom was that statement made?

Mr. BACON. This statement is made by the friend of the Senator—Señor Calderon.

Mr. BEVERIDGE. I am very glad to have the Senator establish a relationship of which I was not aware until he stated it.

Mr. BACON. I beg the Senator's pardon. I understood from what the Senator said to me that there was a relation of friendship between them.

The book from which I read is the report of the first Philippine Commission. It is part of the testimony which that Commission took. Señor Calderon, with whom I am not personally acquainted, but who is personally known to the Senator from Indiana, was examined under oath on the 27th of April, 1899. This is his testimony. I am only going to read one or two questions and answers.

Examined by Professor Worcester:

Q. What is your profession?

A. Lawyer and farmer.

Q. Where do you live?

A. I have always lived in Manila, but I have property in the provinces of Batangas and Cavite.

Q. What proportion of the people of Batangas can read and write?

A. Seventy-five or 80 per cent. The province is the most cultured in the archipelago. I have some 600 laborers on my plantation in Batangas, and of those there are certainly not more than 20 who can not read and write.

I am reading from page 67, volume 2, Report of the Philippine Commission, 1900—the first Schurman Commission.

Wednesday, May 21, 1902.

Mr. BACON. Mr. President, when I yielded the floor on yesterday I was engaged in the discussion, and had about concluded it as I then intended, which grew out of the reconcentrado order and the reconcentrado camps in the Philippine Islands. I do not know that I should return to the subject but for some things which were said by the Senator from Ohio [Mr. FORAKER] after I had yielded the floor. I may misunderstand him, but I do understand the Senator from Ohio in the view which he presents to practically maintain two propositions. One is that the order of General Bell is in harmony with the rules of civilized warfare, and the other is that as practiced the reconcentrado policy in the Philippine Islands is one of humanity and mercy and not one of cruelty.

In furtherance of this proposition the Senator from Ohio reads the order of General Bell of December 8, and draws from the words of that order a conclusion that the purpose of the order was not to inflict cruelty upon the people of Batangas Province and other provinces which were within the territory of his brigade, but that really the purpose of the order was to protect the people against bandits, guerrillas, and brigands. I am sorry the Senator is not in his seat, because if I misstate him I would be glad to be corrected. That I think is the plain import of the language used by the Senator, and the Senator reads the order of General Bell in substantiation of the construction which he put upon it. I will read again the part read by the distinguished Senator from Ohio:

BATANGAS, December 8, 1901.

To all station commanders:

In order to put an end to enforced contributions now levied by insurgents upon the inhabitants of sparsely settled and outlying barrios and districts by means of intimidation and assassination, commanding officers of all towns now existing in the provinces of Batangas and Laguna, including those at which no garrison is stationed at present, will immediately specify and establish plainly marked limits surrounding each town bounding a zone within which it may be practicable with an average-sized garrison to exercise efficient supervision over and furnish protection to inhabitants (who desire to be peaceful) against the depredations of armed insurgents.

After going on a few lines prescribing the extent of the limits, the order resumes:

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of towns over which they exercise supervision, informing them of the danger of remaining out-

side of these limits, and that unless they move by December 25 from outlying barrios and districts, with all their movable food supplies, including rice, palay, chickens, live stock, etc., to within the limits of the zone established at their own or nearest town, their property (found outside of said zone at said date) will become liable to confiscation or destruction.

The words "confiscation or destruction" evidently imply that all movable property which may be useful or desirable will be forcibly seized and carried away, and that all other property, immovable or movable, after that date found in the proscribed zone of death will be destroyed.

I have not read the entire order. It is not necessary, because it has already been read since I have been upon the floor and is in full in the RECORD. Those particular parts of the order are the parts from which the Senator from Ohio draws the conclusion, as stated by him yesterday with very great emphasis and earnestness, that this was a humanitarian order, and that the purpose of it was to protect the peaceably disposed people of those provinces from the barbarities and cruelties of bandits and brigands.

It is true that the order uses this very strange language, when we come to construe it in connection with the remaining portion of the order:

Bounding a zone within which it may be practicable with an average-sized garrison to exercise efficient supervision over and furnish protection to inhabitants (who desire to be peaceful) against the depredations of armed insurgents.

The suggestion of the Senator from Ohio would indicate that the expedition of General Bell into the provinces named was in the nature of a merciful expedition, a sort of a Sunday-school expedition, if I might so term it, in which it was designed to protect good and peaceful people against the outrages of those who were nothing but outlaws. Why that should have been put in there it is difficult to imagine, unless it was the intent of the author of the order to produce the impression which the Senator from Ohio says he has received from it.

But if that be the case, I wish to call attention to what is a most remarkable fact. If the purpose of this order was to protect the inhabitants of these provinces from outlaws, ladrones, and brigands, how is it that the commanding general states a date beyond which it would be unsafe for the people to remain outside of these limits? If he is issuing an order for the purpose of protecting against outlaws, will it be pretended for a moment that the general had an agreement with the outlaws that they would permit these people to remain in safety until the 25th of December, and that if they did not get within certain limits by that time the outlaws would withdraw the agreement?

Is the limit of time against outlaws and the danger from outlaws, or is the limit of time against what General Bell intended that his armed forces should inflict on the people who remained outside of the zone? What other construction can possibly be put upon it? It says people must come within a certain time. The purpose is to protect them against outlaws. "You can stay out in safety until the 25th, but if you do not come in by the 25th your property is liable to confiscation and destruction." From whom? From the outlaws? No; clearly from General Bell. Seventeen days were given, and then on Christmas day, among a people to whom that day was sacred, all his forces of death and devastation were to be turned loose for the desolation and destruction by fire and sword of every person and thing found outside of the reconcentrado limits.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With pleasure.

Mr. BEVERIDGE. Does the Senator say that everybody who did come within the lines marked out by General Bell suffered thereby?

Mr. BACON. No; I do not.

Mr. BEVERIDGE. Only the people who stayed out suffered?

Mr. BACON. I did not say who suffered or who did not. I am talking about what the order said would occur.

Mr. BEVERIDGE. I should like to ask the Senator this further question, then. Does he understand these lines to exist now—does he understand this concentration camp to now exist?

Mr. BACON. I think I saw a statement to the effect that the order had been withdrawn, but that does not affect this question.

Mr. BEVERIDGE. I was simply calling——

Mr. BACON. I am talking about the order which was passed, not about the present existing condition.

Mr. BEVERIDGE. Without intending to interrupt the course of the Senator's very able argument, I wish to call his attention to the fact that the lines have been disestablished, that the insurgents have been captured, that the insurrection has been suppressed, and that no person who came within the lines drawn by the Government has suffered thereby.

Mr. BACON. What has that got to do with the point I am making?

Mr. BEVERIDGE. I should like to know what the Senator's point has to do with the question under discussion?

Mr. SPOONER. What is his point?

Mr. BEVERIDGE. The Senator from Wisconsin wants to know what is the Senator's point.

Mr. BACON. I will state it again for the benefit of both Senators. The Senator from Ohio on yesterday presented the proposition to the Senate that the purpose of this order was to protect peaceably disposed Filipinos from outlaws and brigands in that province.

Mr. SPOONER. That was one purpose.

Mr. BACON. The Senator from Ohio went on and made that the exclusive purpose. The Senator was antagonizing the proposition which I had suggested that this order, read between the lines and taken in connection with the order which was issued on the very next day, meant but one thing, and that was that people within certain prescribed limits could be safe, and that outside of those limits life and property were to be destroyed. That was my proposition, and the Senator from Ohio was antagonizing that proposition. The Senator from Ohio said that, on the contrary, it was not intended for the purpose of reaching those who were hostile and who were antagonistic to the United States Government outside of those lines, but it was for the purpose of protecting those who were peaceably disposed and who might be outside, and who would be protected when they came inside of the lines. That was the proposition of the Senator from Ohio. He did not say it was the only purpose.

The Senator asks what is the point. The point I am making is that while that language is used in the first paragraph, the plain, unmistakable purpose is to warn people that if by the 25th they

did not come within this zone, death and destruction would follow in all the area outside that zone. From whom? From the brigands or from the forces of General Bell? If from the brigands, by what right or what authority would General Bell assume to say that the brigands would allow them to be unmolested until the 25th, and that they must therefore stay beyond that date at their own peril? What other construction is there but the one that he intended that he who fixed the date should be the one who would inflict the penalty? There is none other. The Senator may laugh about it, but he will have to do something more than laugh to get rid of it.

Mr. SPOONER. To whom does the Senator refer?

Mr. BACON. To the Senator from Wisconsin.

Mr. SPOONER. I did not laugh about it.

Mr. BACON. Well, the Senator smiled pleasantly, then. [Laughter.]

Mr. SPOONER. That is quite different.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With very great pleasure.

Mr. BEVERIDGE. Assuming the construction which the Senator from Georgia admits that he reads between the lines in General Bell's order, I should like to know whether the Senator from Georgia does not consider that order, in case the people within those lines have their liberty and are well cared for, a proper military order?

Mr. BACON. Mr. President, I stated yesterday and I repeat now that where the reconcentrado camp is properly provisioned and properly policed and parties are comfortable, the evil, the iniquity of a reconcentrado order is not so much what is within the zone of life, but is in the desolation in the wide area of death outside of it. It is the burning, the destruction of life, and the destruction of property outside of these prescribed limits which constitute the evil and make the principal horror.

Mr. SPOONER. Will my friend allow me to ask him a question?

Mr. BACON. I never have failed, during my service in the Senate, to do so, and I am very glad to do so now.

Mr. SPOONER. That is true. Why does my friend from Georgia persist in calling this a reconcentrado order?

Mr. BACON. I do not know—

Mr. SPOONER. Is it not an attempt to fasten upon the American Army the odium of Weylerism in Cuba?

Mr. BACON. Mr. President, I have stated as plainly as I could, and I think the Senator has not misunderstood me, that the purpose in my reference to this matter is not to fasten odium upon the Army, but in the hope that the people of the United States may see what are the inevitable consequences of this policy in order that they may abandon it.

I understand the Senator's question to be directed to a certain point on which I am going to answer him very frankly. The Senator's question would imply that my purpose is to use an odious term in order that the act may be more odious than it would be outside of the use of that term. I will say frankly to the Senator—

Mr. SPOONER. Pardon me; I do not say that.

Mr. BACON. I know the Senator does not say that, but I say the Senator's question implies it.

Mr. SPOONER. No, I do not say, and I will not say, that that is the Senator's purpose, but I say the use of that phrase, which is utterly inapplicable to this case, has the effect (I will not say the Senator intends it; I will not say that there are some who do not intend it) to fasten upon the army in the Philippines all the odium which attaches, and justly attaches, to the reconcentrado policy of Weyler in Cuba.

Mr. BACON. The Senator asked me originally why I did so and so, and if it was not to accomplish a certain purpose. That was his first inquiry of me, and it was for that reason that I put the construction upon his language which I then did.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. I hope the Senator will pardon me until I answer the Senator from Wisconsin.

Mr. BEVERIDGE. I thought the Senator was through with that, and I wanted him to answer the question which I put.

Mr. BACON. I will with great pleasure when I get through with this point. I want to say to the Senator from Wisconsin that—not being a Spanish scholar—I have always understood the word "reconcentrado," as used in Cuba, to mean the concentration of people in camps, and if there was any difference in my understanding of the word "reconcentrado" and the word "concentration" I had no consciousness of the fact. I want to say to the Senator that never until yesterday had I ever heard any other term used, when the Senator himself suggested "concentration."

I have not been present at any of these examinations, and I did not know that the word "concentration" was being used as a softening of the word "reconcentrado." It does not make any difference to me whether it is reconcentrado or concentration, if they mean the same thing, and if they mean differently I should be glad to be informed. If "reconcentrado" does not mean "concentration," and I can be shown how this is "concentration" and not "reconcentrado," I shall be very happy to use the word "concentration."

Mr. SPOONER. Mr. President—

Mr. BACON. If the Senator will pardon me just a second, I shall be very happy to use the word "concentration," if I can always think to do so. It is a matter of habit simply with me. If the word "reconcentrado" is unpleasant to the ears of my friend, I will with great pleasure try to use the word "concentration." Now I will hear the honorable Senator.

Mr. SPOONER. The word "reconcentrado" is unpleasant to the ears of the Senator's friends.

Mr. BACON. Very well; I will use "concentration," unless I inadvertently say "reconcentrado."

Mr. SPOONER. The term "reconcentrado" stands for a policy of infamy. It stands for a policy of extermination. It stands for a policy in Cuba which shock the entire American people. Does the Senator contend that that was the spirit or purpose of the order of General Bell in the Philippines?

Mr. BACON. Well—

Mr. SPOONER. Or the effect of it?

Mr. BACON. Mr. President, I do not think the Senator ought to ask me that question, and I will state to him the reason why.

Mr. SPOONER. If the Senator does not think I ought to ask it I excuse the Senator from answering it.

Mr. BACON. No; I will state my reason why before the Senator excuses me.

The Senator well knows that I could not answer some questions which would be asked me without appearing to assume to speak from personal knowledge, and I do not wish to be put in that position in this debate.

Mr. SPOONER. Oh, well, if the Senator has any personal knowledge, I hope he will not conceal it.

Mr. BACON. No; the Senator is not right about that. I do not claim to have personal knowledge to the extent that his remark would justly impute, but the Senator, I am sure, will realize the fact that whatever I might say, whether I knew it or not from personal knowledge, might be and would be attributed by some to an effort on my part to appear as a witness, and that I am studiously avoiding, so far as concerns any act committed by anyone in the Philippines.

Now, if the Senator will consider it not to be inconsistent, I hope, before I conclude, to give some impressions which I may have as to conditions in those islands.

Mr. SPOONER. If the Senator will pardon me, I hope if he personally knows of anything in the Philippines which the people of the United States ought to know he will in his place testify to it.

Mr. BACON. Well, the Senator will not be accommodated in that regard.

Mr. SPOONER. The Senator ought to be.

Mr. BACON. No; I ought not, and I will not.

Mr. BEVERIDGE. Now, Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With pleasure.

Mr. BEVERIDGE. The Senator did not intend to evade—

Mr. BACON. No.

Mr. BEVERIDGE. But, nevertheless, he did not answer the question which I put to him, and I should be pleased if he would answer it, since he is discussing the order of General Bell. I ask him if in case of the line drawn by General Bell the people brought within it were properly cared for, fed, and attended, does he regard that as a proper war measure?

Mr. BACON. Of course, bringing parties within the line, if they were properly attended to and taken care of, and if there is no destruction of property in consequence of it, where the circumstances required it, would not be an impropriety. I can conceive of circumstances which might require it within a small area, and in some such circumstances it might not be improper.

Mr. BEVERIDGE. It would not be an impropriety?

Mr. BACON. No; not under the circumstances I have in mind.

Mr. BEVERIDGE. Now, then, if the bringing of people within the lines and thus caring for them is a proper war measure, is not the reverse of that shield also true, that war may be carried on outside those lines, and therefore is not the whole order of General Bell, I ask the Senator, a proper war measure?

Mr. BACON. I think most distinctly and decidedly not.

Mr. BEVERIDGE. Why not?

Mr. BACON. Will the Senator permit me to state the case with some degree of continuity? I say it is not a proper measure because, as I read the order and as I understand the testimony

taken before the committee, it was not simply an order which gathered within certain limits certain people who were thereafter well taken care of, but, as I have said repeatedly, it was an order which depended for its efficiency and for the accomplishment of that very purpose upon the destruction of property and of life outside of those limits. The concentration policy was dependent upon that for its efficiency. I discussed that yesterday and showed that the destruction of life and property outside of the reconcentrado limits was absolutely necessary in order to force people into the reconcentrado limits, and that without that destruction of life and property, and without the fear of that destruction, the reconcentrado policy would be a farce.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. I can not yield to the Senator while I am answering his question.

Mr. BEVERIDGE. But I did want to ask a question right on that point.

Mr. BACON. I am going to yield to the Senator in a moment.

Mr. BEVERIDGE. The Senator will see why it is proper right here that I should ask him the question, if I am going to ask it at all.

Mr. BACON. Very well; I yield to the Senator.

Mr. BEVERIDGE. If the people are all gathered in, which the Senator says is a proper measure, and those living outside of the line would be opponents of the Government, would be insurgents, would be hostile—that being the case, is it not a proper war measure to take against them?

Mr. BACON. But not to the extent of the burning of their houses and the killing of the people regardless of age, sex, or condition. Not to convert the country into a howling wilderness.

Mr. BEVERIDGE. Do you find any such thing as that in General Bell's order?

Mr. BACON. I think that is what it means.

Mr. BEVERIDGE. Oh!

Mr. BACON. I will read it, so as to show why I think so.

Mr. SPOONER. The Senator is reading between the lines.

Mr. BACON. No; I am not. I am reading the words and I will read the lines themselves, and I will show that they can mean nothing else but that, as I said on yesterday, the concentration order is one which can only be enforced by this rule which destroys everything outside of the lines; that it is impossible to go out and gather up all of the people and bring them in, as I said yesterday, as you would a drove of horses. You have got to apply to them some compulsion which will make them come in. When you prescribe limits, and say that these are the limits of the concentration camp, the method by which people are made to come in there is to say that outside of that they are not safe, and to say to them that "your houses will be burned and your property destroyed"—is that reading between the lines, or are those the words of General Bell? We do not have to read between the lines to find that.

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of the towns over which they exercise supervision, informing them of the danger of remaining outside of these limits.

What danger?

Mr. BEVERIDGE. Does the Senator think—

Mr. BACON. Let me conclude the reading. I have not finished reading the paragraph.

Mr. BEVERIDGE. I wondered whether the Senator did not consider that that notice to the people was very humane.

Mr. BACON. Well, that may be, but not in my opinion. I will begin the reading over again.

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of towns over which they exercise supervision, informing them of the danger of remaining outside of these limits, and that unless they move by December 25 from outlying barrios and districts with all their movable food supplies, including rice, palay, chickens, live stock, etc., to within the limits of the zone established at their own or nearest town, their property (found outside of said zone at said date) will become liable to confiscation or destruction.

From whom?

Mr. BEVERIDGE. From us.

Mr. BACON. Certainly; and by what influence is it sought to make these people come within this zone of life, as I have called it, in contradistinction to the zone of death? Is it not by saying that "within here is life and protection and out there is death and destruction; here is the hand that will inflict death and destruction?"

This order is not limited to men with arms in their hands; it is not directed only to men with arms in their hands; but it is directed to the entire population, and the order issued on the next day, on the 9th, which is practically a part of the same order, goes on to say to those to whom it is addressed, it may be a hard thing, but the innocent must suffer with the guilty; it may be a hard thing, but those who claim pleasant and friendly relations must not be considered; they must all fall within this order of destruction if they do not come in by the 25th day of December. Is not that so?

Does any Senator say that while it might be a legitimate matter to get within certain limits people who are thereafter to be kindly cared for, it is also legitimate that those who will not come within these limits shall be—regardless of whether they are combatants or noncombatants, men, women, or children—subjected to death because they will not come within those limits? Will it be said, because it may be right to bring within certain limits people who can be gotten there, that those who stay without shall not only have to do so at the risk of life but shall be told, in so many words, that their property is to be destroyed, and we know how destroyed—destroyed by fire?

Mr. President, has it come to this, that for the purpose of maintaining our sovereignty over that distant people, for the purpose of carrying out these ideas which have taken hold of us in the past four years, we are to go back to the age of barbarism, and, in order to defend our acts, to absolutely renounce the teachings of civilization and revert to the time when war was barbarity without any of the ameliorations of civilization? If so, Mr. President, that of itself would be curse enough to follow upon what we have done in this matter without looking for any other. If so, that of itself is sufficient to cause the American people to shrink back in horror from this path of blood.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. For a question, yes.

Mr. BEVERIDGE. Just a question. I understood the Senator to say that he regarded it as proper for the military authorities to bring people within the lines as a war measure.

Mr. BACON. Properly, and under proper circumstances, but I do not mean thereby that their houses should be burned and their lives taken as a penalty for refusal to obey the order.

Mr. BEVERIDGE. What I desire to ask the Senator is this: What would be the use of bringing people within the lines if the people without the lines are going to be treated precisely in the same way as those inside? What would be the use of doing this proper thing, which the Senator says is proper, if people outside of the lines are to be treated precisely in the same way as those inside?

Mr. BACON. I mean to say it is proper if it is done in a humane manner and under circumstances that require it; then it is all right, if there is no cruelty. I do not, however, mean to admit, but, on the contrary, I absolutely deny, the proposition that any inhumanity is justified to get them within the lines, for instance, by saying, "If you stay out you will be shot, regardless of sex or age, and your houses will be burned, therefore come in." Nobody admits any such proposition as that. It is, as I was about to say—

Mr. BEVERIDGE. I think the Senator again very unintentionally, of course, evades the question. I understand the Senator again to say that it is a proper war measure to bring people within the lines if they are treated properly within the lines. The main thing, I ask the Senator, is, What would be the use of doing that proper thing if we were going to treat people outside precisely the same as the people inside?

Mr. BACON. Mr. President, while it may be proper to get people within the lines in a proper way without inhumanity, I do not admit that that relieves a commanding officer in the field from all obligations to observe the rules of civilization and humanity as to those who do not come in.

Mr. HOAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. BACON. Certainly.

Mr. HOAR. I desire to ask the Senator a question, because I think his answer slightly susceptible of a double construction, which perhaps he did not perceive in the question—I do not mean purposely, but an actual double meaning. Does the Senator mean to say that the assembling of a whole population of a country into a reconcentrado camp is a proper war measure as a means of warfare upon them?

Mr. BACON. No; I do not. I mean that it may be a proper war measure as a means of protecting them, they being friendly, against the common enemy.

Mr. HOAR. Very well. Then is not the whole point of this thing—I expect to use the word "reconcentrado" when I discuss this question, if I have an opportunity to do so—is not the whole point of this thing whether they have undertaken to carry on this war against this people, who are said to be lawfully subject to our authority, by assembling them, taking them in whole districts away from their homes and dwellings, and crowding them into camps remote from where they live, on the penalty of having their property destroyed, and perhaps themselves slain if they do not go?

Mr. BACON. Mr. President, I expressly said that, of course, such measures must be in a proper case and not be accompanied by any inhumanity.

Mr. HOAR. But my proposition was in regard to the purpose—

Mr. BACON. I understand that.

Mr. HOAR. Let me put one other question to the Senator in order to bring out this thing. Is there any writer or authority on the law of nations or the law of war which justifies the getting of a whole population of a country into compact and close camps of this kind, taking them from their dwellings, as a means of warfare against them?

Mr. BACON. I do not think there is, and in order that the Senator may not misunderstand me I will make an illustration of one of the matters in my mind. I realize that there might be circumstances under which, not the whole population but the population of a particular neighborhood, might for a single purpose—

Mr. HOAR. To get them out of the range of the guns if a battle were in progress.

Mr. BACON. If there were going to be a battle, if the country was going to be within range of the guns, and men, women, and children, noncombatants, were to be exposed to that danger, I could understand very readily how an Army officer might require them to get within certain limits where they would be safe; but I do not recognize, as is suggested by the question of the Senator from Massachusetts [Mr. HOAR], as I might have been understood to say, that it is a legitimate war measure to say to the people of a county or a province, "You have got to come within certain limits and do so by a certain day, and if you fail to do so, then all you who so fail will be subject to the destruction of your property and the loss of your lives." That I absolutely repudiate and condemn.

Mr. SPOONER rose.

Mr. BACON. If the Senator will pardon me a moment, as he sees I am speaking with great difficulty from serious throat trouble—

Mr. SPOONER. I shall not interrupt the Senator at present.

Mr. BACON. This question has come to a very important stage; and if this is the feeling and the opinion of Senators, it is well that the country should know it, in order that the issue may be joined, that it is considered legitimate warfare to say to a people "Come within certain limits;" and then, as implied by the inquiry of the Senator from Indiana [Mr. BEVERIDGE], it is equally legitimate warfare thereafter to treat everybody as hostile, and to destroy everybody and all the property outside of those limits. What else does concentration mean?

In what other way can the order of our general be construed when he says, "Come within certain limits by the 25th day of December, and those of you who do not obey this order take your lives in your hands and subject your property to destruction?"

Mr. President, I said that I understood the distinguished Senator from Ohio [Mr. FORAKER], who was not in his seat at the time I said it, to maintain the proposition that the order of General Bell was in accordance with the laws of civilized warfare. I said that, and if I misquoted him, I should be glad to be corrected in that regard.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. Certainly.

Mr. FORAKER. The Senator has substantially restated what I said heretofore. I was referring to what had been the practice of this Government ever since its beginning with respect to our Indians, for instance, and the well-known practice of other governments in conducting military operations under such circumstances.

Mr. BACON. If I correctly stated the Senator, that is all I desire to know at this time. The Senator from Ohio differs from the Senator from Massachusetts in that regard.

Mr. SPOONER. In what?

Mr. BACON. As to General Bell's order.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. I do.

Mr. SPOONER. Of course no one would claim, I think, that it was justifiable to force a concentration of people within certain limits in order to make war upon them. I am not aware that there is any element of that kind in this case, but would it not be legitimate—

Mr. BACON. The Senator will observe that I was simply about to call attention to the fact that the Senator from Massachusetts did not agree with the Senator from Ohio, and now the Senator from Wisconsin returns to the question which I left.

Mr. SPOONER. Yes; but suppose there is an outlying—

Mr. PETTUS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. PETTUS. I make a question of order, Mr. President.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. SPOONER. What is the point of order which the Chair sustains?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. SPOONER. What is the point of order which the Chair sustains?

Mr. PETTUS. My point of order, Mr. President, is that the Senator from Wisconsin, without leave from the Chair, carries on a conversation with the Senator from Georgia, and it disturbs business, and it is very disagreeable at that.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER. The Chair understood the Senator from Georgia [Mr. BACON] yielded to the Senator from Wisconsin [Mr. SPOONER], and the Chair thought the Senator from Alabama [Mr. PETTUS] made the point of order that the Senator from Wisconsin did not address the Chair.

Mr. SPOONER. Mr. President, I am very sorry to "disturb business," but I am much more sorry to be "disagreeable" to the distinguished Senator from Alabama [Mr. PETTUS].

Mr. BACON. I yield to the Senator from Wisconsin.

Mr. SPOONER. In addition to that, I will apologize to my friend from Georgia.

Mr. BACON. But I hope the Senator will ask the question which he desires. I made no objection.

Mr. SPOONER. I supposed, as the Senator made no objec-

tion, that no one else would do so. I was about to ask the Senator whether it was not an entirely legitimate method of warfare, if there was an outlying inhabited district from which an enemy obtained food supplies and information, that an officer, after giving due notice, should order the concentration of the inhabitants within certain lines, and then destroy, after that date, all supplies and means of supplies from which the enemy had been from time to time supported?

Mr. BACON. I do not understand that it is legitimate warfare to destroy the private property of a country occupied by an army to the extent of making it useless to the people, nor do I admit that there is any rule of war by which can be done legitimately that which the Senator asks me if it can be done, and I ask the Senator, in his own time, to point to the precedent upon which he bases any such question. As the Senator states it, as every army draws supplies from its country the enemy is justified in destroying all the supplies in the whole country.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER (Mr. PLATT of Connecticut). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Oh, yes; I yield, of course.

Mr. SPOONER. Mr. President, am I recognized?

The PRESIDING OFFICER. The Chair recognizes the Senator.

Mr. SPOONER. I want to be quite certain that I am neither "disturbing business" nor making myself "disagreeable."

The Senator from Georgia has asked me if there is any instance of the kind to which he has just referred.

Mr. BACON. I did not ask the Senator to give it now, because I think I ought to be allowed to continue my speech; but if the Senator has a question to ask I will yield.

Mr. SPOONER. No; I thought the Senator had asked me a question.

Mr. BACON. I will with great pleasure yield to the Senator.

Mr. SPOONER. I thought the Senator asked me a question?

Mr. BACON. I knew the answer would take some time; and so I asked the Senator to give it in his own time.

Mr. President, did anybody suppose when this Congress met that there would be any proposition advanced in either House of Congress that would sustain a mode of warfare such as is disclosed by the testimony which is now being taken by the Philippine Committee of the Senate? Does not everybody know that it would have been regarded with horror that we should have assumed for one moment that such things were within the range of the possible approval of Senators and Representatives?

Is it not a fact that since this debate began Senators have changed their positions with reference to this matter? Is it not a fact that when this debate began they, without exception, condemned these acts? Is there any Senator who had the hardihood to get up and approve them? Is it not because matters have gone to that point where the facts can not be disputed that they have either themselves got to join in the condemnation or to take a new position and to say that the acts are not to be condemned?

Why, we remember that when the Philippine debate was on under the former bill Senators on the other side resented with the utmost heat as a slander upon the Army the suggestion that such things were occurring. Well, if they were legitimate, why

should they resent them as they did then, charging Senators on this side with slandering the Army and some of them almost with treason? Now, when the evidence has disclosed the fact as beyond dispute, they have advanced, where I never expected to see Americans advance, to a justification of such outrages and cruelties and barbarities as are shown by the testimony which is now being taken.

Senators go to the point of calling that civilized warfare which the perpetrators themselves of these acts condemn as not being civilized warfare. I say they condemn—that word is not proper—but they admit that that which they do is not civilized warfare, and they seek to justify their acts on the ground that they are fighting with those who are not themselves civilized.

I will read something to show that that is so. General Hughes was before the Committee on the Philippines, and he gave testimony on the subject which shows the way in which he regards it; and doubtless the way in which the Army, or those of them who have authorized and required this thing, regard it. They do not say what the Senator from Wisconsin [Mr. SPOONER] intimates by his inquiries, that these were legitimate acts within the range of recognized rules of civilized warfare. They do not say so.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. BACON. With pleasure.

Mr. SPOONER. Is guerrilla warfare civilized warfare?

Mr. BACON. Yes; within certain limits.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. Yes.

Mr. FORAKER. Are murder and assassination, as recited in these orders, civilized warfare?

Mr. SPOONER. "Within certain limits."

Mr. BACON. No; I do not say so. I am not to be diverted by such inquiries from the point I am on.

Mr. FORAKER. But do not these orders recite that murders and assassinations have been committed? Are they not mentioned in the orders?

Mr. BACON. Mr. President, I am not to be diverted by Senators. I will state again the proposition I was about to state. I say that the class of warfare which the Senators by their inquiries indicate as being civilized warfare in their opinion, is warfare that the officers in the Philippine Islands themselves say is not civilized warfare. We are talking about the fact that it is not civilized warfare, and when the fact is admitted that it is not civilized warfare the question is answered.

Mr. SPOONER. Did they not say that it was because they were not carrying on a war—

Mr. BACON. I have not yet read what I want to read.

Mr. SPOONER. Did they not say it was because the war against which they were contending is not civilized warfare?

Mr. BACON. They said it was not civilized warfare because the people were not civilized, or rather they abandoned civilized warfare because the people were not civilized, thereby implying that they were not entitled to have the rules of civilized warfare applied to them.

Mr. President, yesterday I read this language, but now, in

order that it may be in connection with what I am going to read from General Hughes, to show how it was that these officers came to the conclusion that these people were not to be dealt with as civilized people, and the rules of civilized warfare were not to be observed, I will read it again. I read yesterday from the speech of the Senator from Massachusetts [Mr. LODGE] an exhibit, which is an extract from the report of General Bell, which is found in Part 3 of the Report of the Lieutenant-General Commanding the Army, 1901, pages 34 and 35, in which General Bell uses this language in his report:

I have been in Indian campaigns where it took over 100 soldiers to capture each Indian, but the problem here is more difficult on account of the inbred treachery of these people, their great number, and the impossibility of recognizing the actively bad from the only passively so. If it was deemed advisable to pursue the methods of European nations and armies in suppressing rebellions among the Asiatics, the insurrection could have been easily put down months ago. Even now, although the seeds of rebellion have permeated all classes, such methods would soon put an end to all active insurrection.

That implies what I will show directly from the testimony of General Hughes, that up to that time the rules of civilized warfare had been observed, and that it was suggested that if they could abandon the rules of civilized warfare and adopt the rules European nations had adopted in dealing with Asiatic peoples the perpetration of these horrible barbarities, these wholesale slaughters and burnings of property—if they could adopt such methods, then the insurrection could be put down. If it did not mean that it meant nothing; if it did not mean that there should be an abandonment of the rules of civilized warfare and the adoption of the harsh and cruel measures which were condemned by civilized warfare, what did it mean?

Mr. President, what is General Hughes's testimony on that line? It is found on page 558 of the hearings before the Philippine Committee. The Senator from Utah [Mr. RAWLINS] asked this question:

In this connection, in burning towns, what would you do? Would the entire town be destroyed by fire or would only offending portions of the town be burned?

General HUGHES. I do not know that we ever had a case of burning what you would call a town in this country, but probably a barrio or a sitio; probably a half a dozen houses, native shacks, where the insurgents would go in and be concealed, and if they caught a detachment passing they would kill some of them.

Senator RAWLINS. What did I understand you to say would be the consequences of that?

General HUGHES. They usually burned the village.

Senator RAWLINS. All of the houses in the village?

General HUGHES. Yes; every one of them.

Senator RAWLINS. What would become of the inhabitants?

General HUGHES. That was their lookout.

Then continuing the examination:

Senator RAWLINS. If these shacks were of no consequence, what was the utility of their destruction?

General HUGHES. The destruction was as a punishment.

Mr. SPOONER. Will the Senator give me the page?

Mr. BACON. Page 558. I had already announced it.

Mr. SPOONER. I did not hear it.

Mr. BACON. It continues:

General HUGHES. The destruction was as a punishment. They permitted these people to come in there and conceal themselves, and they gave no sign. It is always—

Senator RAWLINS. The punishment in that case would fall not upon the men, who could go elsewhere, but mainly upon the women and little children.

General HUGHES. The women and children are part of the family, and

where you wish to inflict a punishment you can punish the man probably worse in that way than in any other.

Senator RAWLINS. But is that within the ordinary rules of civilized warfare? Of course, you could exterminate the family, which would be still worse punishment.

General HUGHES. These people are not civilized.

Senator RAWLINS. Then I understand you to say it is not civilized warfare?

General HUGHES. No; I think it is not.

Senator RAWLINS. You think it is not?

Senator DIETRICH. In order to carry on civilized warfare both sides have to engage in such warfare.

General HUGHES. Yes, sir; certainly. That is the point.

I think, if I am allowed to go on, I will come to a place where I shall have something to say that will bear directly on this subject.

CONDUCT OF THE WAR BECOMES STERNER.

Senator HALE. You made a very interesting statement some time ago that from year to year, or from summer to summer, the conduct of the war was sterner, stiffer, as you called it. You are describing what took place the second summer, not the first?

General HUGHES. Yes.

Mr. President, what words are strong enough to condemn the utterance by an American general that women and children are burned out of house and home as a punishment on the husbands and fathers, because by the suffering inflicted on the women and children the worst punishment is inflicted on the husbands and fathers. I call the attention of the Senator from Ohio to what I am about to read, in connection with the statement I made yesterday as to the change in the methods in the progress of the war.

Mr. FORAKER. Mr. President—

Mr. BACON. I hope the Senator from Ohio will let me read this.

The PRESIDING OFFICER. The Senator from Georgia declines to yield at present.

Mr. FORAKER. I think the Senator would not decline if he knew what I wished to say.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. I think I ought to be allowed to finish reading this.

Mr. FORAKER. I merely wish to call the attention of the Senator to the fact that I made that statement myself before he did. Last Monday I called attention to the fact that after the war had been prosecuted for two years in the most humane way, with the great success that had attended it in these four provinces where was this bitter resistance, it became necessary to resort to the measures which the Senator was criticising.

Mr. BACON. Very well; the Senator agrees to that. The Senator read the statement of Professor Schurman, and the statement was not qualified, and it would leave the impression that it applied to the entire course of the Army during the war, and in response I made the statement that it was doubtless true of the first year of the war, but that it had changed very materially thereafter.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. FORAKER. Immediately following—

Mr. BACON. I want to read this. I do not think I am unreasonable in the matter of submitting to interruptions, but Senators should not make it utterly impossible for me to proceed with any continuous argument. It seems to me I am not unreasonable in requesting that unless there is a necessity to ask questions I be allowed to proceed with some degree of continuity.

The PRESIDING OFFICER. Does the Chair understand the Senator from Georgia to decline to yield?

Mr. BACON. No, I do not decline to yield, but I was right in the midst of the reading.

Mr. FORAKER. The Senator yields, I understand. The Senator will agree that I have not unnecessarily interrupted him. In fact, I have interrupted him very little. I only interrupted him when he appealed to me and commented upon some remarks I had made.

I interrupted him a moment ago simply to call his attention to the fact that I myself recognized that there had been a change, so far as the prosecution of the war in these particular provinces was concerned, and now the Senator calls attention to the fact that I read the report of Dr. Schurman, as though I left it there without any comment to indicate that there had been a change afterwards. The Senator will find, if he will consult my remarks as they appear in the RECORD, that I then called attention to the fact that following that was this change, the same about which he speaks in these particular provinces, and for the reasons set forth in the order which I then read, and I read the orders and called attention to the reasons therein assigned to show why there had been a change in Batangas, Laguna, Samar, and Leyte.

Mr. BACON. I will now resume the reading.

Mr. SPOONER. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Certainly.

Mr. SPOONER. I want to tell the Senator why I took the liberty of interrupting him.

Mr. BACON. The Senator need not make any explanation or apology.

Mr. SPOONER. It is apologetic, in a way. It was because I do not know any man who is less disconcerted by an interruption than the Senator, nor anyone better able always to take care of an interruption than the Senator from Georgia.

Mr. BACON. I am very much obliged to the Senator.

Mr. SPOONER. If I had thought for a moment that it was distasteful, I would not have done so.

Mr. BACON. It is not. But it is a fact that yesterday, while I was upon the floor a very long time, almost half of the time was occupied by other Senators, not the Senator from Wisconsin, because he did not interrupt me. It is true that I have been on the floor an hour to-day, and I have not been able to make five minutes consecutive talk in that time. There will be a long ways, when anybody comes to read the RECORD, between two lines of what I was reading. I will read over the question of the Senator from Maine [Mr. HALE], because the answer to it was interrupted right in the middle.

Senator HALE. You made a very interesting statement some time ago that from year to year, or from summer to summer, the conduct of the war was sterner—stiffer, as you called it. You are describing what took place the second summer, not the first?

General HUGHES. Yes.

In the first campaign the rules of civilized warfare were rigidly enforced. The fact is there was a building burned the first two or three days I was out, and I issued an order that any man caught setting fire to a building should be promptly arrested, and if he ran and could not be stopped in any other way, shoot him. I could not tell whether these fires were started by some

of our own men or by Chinamen with our command, who were there for the purpose of transporting the wounded and the sick, etc., but anyway in nearly every encampment up to that time there was some little fire somewhere. That stopped it—

That is, the order to shoot the people who did the burning— and from that time on I do not think there were any fires or anything of that kind, and there was none, so far as I can recall, in that year's operations. But the next year we found it necessary to adopt more stringent methods in order to reach these people.

What does that mean? It means that General Hughes says they observed the rules of legitimate warfare in the first year; that he does not think the burning of houses is within the rules of civilized warfare, and he departed from those rules thereafter, and that from that time on until the present they have been pursuing warfare which is not civilized warfare, in the burning of the cities and towns and the houses of people.

But the Senators by their questions would seem to indicate that they thought that that which is now being testified to as being done is within the rules of civilized warfare. There is no doubt about the fact of the particular acts being done, because the testimony shows it, and if they are not within the rules of civilized warfare and Senators approve and defend them, then the only thing to be said is that they approve this policy of pursuing warfare in a manner which is not civilized and which is in violation of the rules of civilized warfare.

If Senators are ready to take that position before the American people, we know where they stand. One of two things must necessarily be true. If, as General Hughes says, and as the testimony proves beyond possibility of successful contradiction, cities and towns and houses are burned in violation of the rules of civilized warfare, either those actions are to be condemned or to be approved. If Senators who take issue with us who condemn them approve them, then there is no issue between us as to anything but the question of right and wrong in such burnings. There is no question of fact.

I wish to read a little more from what General Hughes says:

Senator RAWLINS. Is it not true that operations in the islands became progressively more severe within the past year and a half in dealing with districts which were disturbed?

General HUGHES. I think that is true. I would not say it is entirely so. The severities depend upon the man immediately in command of the force that he has with him. In the department I suppose I had at times as many as a hundred and twenty commands in the field. Each commander, under general restrictions, had authority to act for himself.

In other words, he had authority to burn or not to burn as he might see proper, in his own judgment, and, consequently, as some thought proper to burn a little more freely than others, the rule and practice, according to what he said, varied. He goes on to say:

These commanders were changed from time to time. The new commanders coming in would probably start in very much easier than the old ones.

In other words, they would not burn the cities and towns and houses quite as much as the old ones. They had not got to be so callous. They had not got to be so absolutely indifferent to all rules of civilized warfare, and consequently they were easier, as General Hughes says:

These commanders were changed from time to time. The new commanders coming in would probably start in very much easier than the old ones.

Senator HALE. Very much what?

General HUGHES. Easier. They would come from this country with their ideas of civilized warfare, and they were allowed to get their lesson.

Mr. HOAR. From whom does the Senator read?

Mr. BACON. From General Hughes. General Hughes says that these proceedings were not in accordance with civilized warfare. He says they abandoned the rules of civilized warfare after the first year. He says that with the vast number of commands under him he gave to each man a discretion to do as he pleased; that while they were started easy as time progressed they became more callous, and they burned more freely. Then when new men came there they brought with them ideas of civilized warfare, and they were permitted to progress and get their lesson, although as time progressed they, too, would abandon all civilized warfare and burn and destroy, without regard to the rules of civilized warfare.

Now, let me read what one of the witnesses said about that. There was before the committee a witness by the name of Grover Flint, whose testimony is found on page 1765, and on page 1784 there is this testimony:

Q. In that connection I will ask you to state if you saw any Filipino towns burned by American soldiers.

A. Yes; I have seen hamlets, small towns of 50 or 60 houses, burned.

Q. How many houses?

A. Fifty or sixty houses; what they call barrios.

Q. Were the people who lived in these houses engaged in peaceable pursuits?

A. Apparently; yes.

Q. And they were burned by the American troops?

A. They were.

Q. By whose orders?

A. I don't know; I never happened to be in command of the column that went out to burn.

Q. Did you know of the burning of your own knowledge?

A. Absolutely.

Q. You saw it?

A. I saw it.

Q. By American soldiers?

A. Yes; I saw it.

Senator PATTERSON. What became of the men, women, and children that were occupying those hamlets?

The WITNESS. I think the idea was at that time that the burning of these villages would drive the people to the woods or to the towns; a policy of concentration, I think.

This witness is from Massachusetts, a commissioned officer, a man of education, position, and character.

That is the Sunday-school performance, that is the act of humanity, that is the process of kindness and mercy that the Senator from Ohio spoke about yesterday, when it was not for the purpose of inflicting punishment or cruelty upon the people outside of the zone of life, but was for the purpose of kindly taking them in out from danger. It occurs to me that if it was a religious proceeding at all, it must have been for the purpose of having these people have some little realization of what would come to them hereafter if they were not good in this life—to see what fire was.

Mr. President, I said—and I was diverted by the inquiry which has led me off on this line—that the Senator from Ohio had stated substantially that he regarded the order of Bell as an order in harmony with the rules of civilized warfare, and I stated that the Senator from Massachusetts did not agree with him, and I was about to read the remark of the Senator from Massachusetts with regard to that matter. On the 29th of April the Senator from Texas [Mr. CULBERSON] asked the Senator from Massachusetts [Mr. LODGE] this question:

I should like to ask the Senator if he indorses that order of General Bell, issued on the 8th day of December, 1901? It is a question, Mr. President, to

which I desire an answer from the Senator from Massachusetts if he is disposed to give one.

Mr. LODGE. Does the Senator ask if I indorse the order of General Bell?

Mr. CULBERSON. Yes.

Mr. LODGE. No, sir; I do not indorse cruel methods of waging warfare.

So the Senator from Massachusetts and the Senator from Ohio do not agree, and I repeat that two weeks ago there was no Senator to be found in this Chamber who would defend the acts which they now defend boldly before the American people. It has gotten to a point where they either have to defend them as proper acts or condemn those who perpetrated them.

Mr. President, I regret very much that I have consumed so much time on this particular part of the matter, because I intended simply to allude to it and to pass to some other things which I wish to say; but before passing to them I desire to repeat that the great purpose which I had is that there may be a lesson pointed to the American people, that they may see what is the necessary, unavoidable result to flow from the effort which is being made to dominate an inferior race and to control them against their will, and that the history of all nations shows that that effort is always attended by cruelties and barbarities such as would not be recognized in warfare between people of equal rank in the civilized world.

Mr. President, this matter was pointed out when this policy was first entered upon. When the question was up as to the acquisition of the Philippine Islands, predictions were made that there would be this lamentable consequence flow from the effort of the American people to dominate the Philippine Islands and to subject them to our sway. Speeches were made both in the House of Representatives and in the Senate in which that was predicted, and our people were warned that such would be the case. In a speech which I made in the Senate on the 18th day of January, 1899, before the ratification of the treaty of peace, I had something to say on that subject, which I will now read not for the purpose of showing that I said it, but because it is applicable now to the question whether the people of America will continue in this course or whether they will change. In that speech I read from a book which was written by Mr. John Russell Young, entitled "Around the World with General Grant," and in it I said this:

It is a brief account of the treatment of one regiment of Sepoys, not all of them; a regiment which had been disarmed; a regiment which had tried to make its escape; a regiment which, it is true, had murdered some of its officers. Now I am going to read the account of this as given by Mr. Young in the second volume of that work, on page 93:

"The Twenty-sixth Native Infantry"—

Speaking of the Indian infantry—

"The Twenty-sixth Native Infantry had been disarmed in May and kept under guard. On July 30 some madman in the regiment killed the major. The author of this murder was a favorite named Prakash Pandey, who rushed out of his hut, called upon his comrades to rise, and, seeing the major, killed him. The sergeant-major was also slain. The Twenty-sixth had served with distinction in many campaigns, notably in the Afghan campaign of 1842. It was thought that the fugitives would run south to Delhi to join the king.

"But they took a northern direction, away from the war, anxious to reach Cashmere, to be out of India. They had no guns. There was a drenching rain, and the country was almost flooded. The troops came up with them, shooting 150 and driving them into the river, drowned inevitably, 'too weakened and famished, as they must have been after their 40 miles' flight, to battle with the flood.' The main body escaped, swimming and floating to an island, 'where they might be descried crouching like a brood of wild fowl.' Mr. Cooper started out to capture them."

After stating the fact of the capture, it goes on:

"The doomed men, with joined palms, the Hindoo attitude of entreaty,

crowded into the boats and were brought on shore. 'In utter despair forty or fifty dashed into the stream and disappeared.' No order was given to fire, and the fugitives, says Mr. Cooper in a spirit of playfulness, became possessed of a sudden and insane idea that they were going to be tried by a court-martial after some luxurious refreshment."

So they were brought on shore, one by one, tightly bound, their decorations and necklaces ignominiously cut off. "Some begged that their women and children might be spared, and were informed that the British Government did not condescend to war with women and children." They were marched to the town, "the gracious moon," Mr. Cooper informing us, coming out through the clouds, and reflecting herself in myriad pools and streams to "light the prisoners to their fate."

They arrived at midnight. Next morning at daybreak Mr. Cooper took his seat. He had 282 prisoners, besides numbers of camp followers. He sent his Mohammedan troops, fearing they might hesitate to shoot Mohammedans, to a religious festival, and, alone with his "faithful Sikhs," proceeded to do justice. "Ten by ten," says Mr. Cooper, "the Sepoys were called forth. Their names having been taken down in succession, they were pinioned, linked together, and marched to execution, a firing party being in readiness."

And so it goes on and describes how that entire regiment—and I will not stop to read it now, because the hour is getting late and it is too long—were shot without trial, some of them blown from the mouths of cannon. That is only one of a great many instances of the same kind which could be cited. In commenting on that I said this:

Mr. President, I do not read that for the purpose of casting any reflection upon the English people. On the contrary, I recognize them as the most Christian and the most humane nation of Europe. But only with the sword and gun can millions of the semicivilized be kept in subjection. The very best that can be said, and what is proper to be said, is that it was necessary that the English should perpetrate this cruelty, this butchery, if they would maintain their dominion in India, and that is the purpose for which I have read it.

And in commenting on this I added:

If we are to maintain dominion over this foreign, alien people, these Mohammedans, these people accustomed to revolution and to blood and to disorder, if you please, we will be compelled to do it with iron hand, regardless of the shedding of blood.

I went on to speak—

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. Certainly.

Mr. BEVERIDGE. Does not the Senator from Georgia think that, on the whole, the British occupation of India has been a benefit to that country?

Mr. BACON. I am not now going to discuss that question. I am not prepared to discuss it, and if I were I certainly would not take the time to discuss it now. There have been expressions in my hearing to the effect that it has not been, but I am not going to discuss it. It is certainly not in the line of the speech I am endeavoring to make.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. BACON. Certainly.

Mr. CARMACK. I want to say very positively that that is my opinion, and I think it is an opinion that can be justified.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. I hope the discussion will not run on. It certainly is not just to me that it should.

Mr. BEVERIDGE. I merely wish to say that while I am al-

ways delighted to have the opinion of the Senator from Tennessee. I asked for the opinion of the Senator from Georgia.

Mr. BACON. I am not going to give my opinion—

Mr. BEVERIDGE. All right.

Mr. BACON. Because it is not pertinent to the point I am discussing; but I do say that the Senator may conceive it to be as beneficial to the Hindoos in their material interests as he pleases, or that it is as beneficial as the Senator may conceive it to be to the English people, but that nothing will compensate in that regard for the cruelties and the inhumanities that have in the past been heaped upon the people of India in order that British rule might be maintained.

And so, sir, I say, with reference to the Philippine Islands, that our retention of sovereignty there, the keeping of those people in subjection against their will, has not only been attended by brutalities in the past, but it will be attended by brutalities in the future, ever recurring; and it is for the purpose of pointing that lesson, for the purpose, if possible, of attracting the attention of the American people to what is before us in that regard, that I dwell upon the question of these atrocities.

Mr. President, is there anybody in the United States with a heart within his bosom and any regard for the good name of the United States who rejoices at the present situation? While Senators may defend what has been done, is there a Senator who would not rejoice if it had not been done? When we think of all that has occurred; when we think of the soldiers from this country who have died there, and of those who have been killed there, and the homes in this country which have been desolated on that account; when we think of the tens of thousands of Filipinos who have been slaughtered; when we think of the hundreds of thousands of Filipinos who have died in consequence of the war; when we think of the numbers of soldiers who have or are to come back ruined in health; when we think of the strain that has been put upon our institutions—the wrench, if you please, of our Constitution—in order to adapt our situation to this new colonial policy, how many of the American people—viewing not only that, but looking forward to the dreary future which is before us in this connection, the blush that is to come hereafter, the hundreds of millions of dollars that have already been spent, and the vast treasure which must be spent—how many, what proportion of the American people, are glad we are in the Philippine Islands?

How many Senators are there who in their hearts would not be glad if there were a way in which we could, in their opinion, be honorably quit of them? Mr. President, when you present to them the great sacrifices that we have made, when you talk to them about the great injury to the free institutions of this country, when you talk to them about the horrible task that is before us, how many are there who say they can not dispute that, and add, "We are there, and what are we to do about it?" As if a great evil, a great misfortune, is to be recognized and admitted, and yet we are to sit supinely, as if we had not the wit or the wisdom to move hand or foot in the effort to rescue ourselves from the evil.

Mr. President, what is to be done about it? Whenever we ask the question what is to be done, or whenever we propose to do anything, we are met by two stereotyped answers. Senators will not discuss the question as to practical methods of procedure. They will not endeavor to agree with you upon any plan by which

this unfortunate situation may be relieved. And there are but two replies. One is that it is an inglorious retreat which is proposed. Whenever you speak about any solution of this matter which shall have for its ultimate purpose the design to rid this country of the incubus, if I may so call it, to rid us of this great burden, the reply is that we are there and that to leave there is to ingloriously retreat and leave the islands to anarchy.

Not only that, but Senators endeavor to use opprobrious terms, and the favorite one is "scuttle." They say to those who advocate such a disposition as will in any way relieve the United States of this connection that we propose the game of scuttle, and that it is an inglorious abandonment of an enterprise undertaken.

The other answer is that it is proposed to ingloriously withdraw the army before it has established the authority of the United States and put down armed opposition to it. Now, sir, I wish to say that there has been no proposition to do either of these things, and there is no such proposition now. Every proposition is based on the establishment of peace and order and of the authority of the United States as a prerequisite to our action.

I will ask Senators to state when they come to discuss this question whether or not it is an inglorious retreat or whether it is scuttle to do that which was proposed to be done in the beginning. I assert that the leading Senators on this floor in the beginning proposed to do exactly the thing that we have proposed to do ever since, which was not to retain the islands, but to take them temporarily and thereafter to establish free government for that people and to leave them alone. If that is true, then for us now to do that is no inglorious retreat, it is no abandonment.

There have been certain things said by Senators here which have been read very frequently in the Senate, and I read them again, not for the purpose of calling attention to any inconsistency on the part of Senators between their utterances of that day and their positions now, but to establish the proposition which I make, that Senators in the beginning announced the purpose to do what we now ask them to do, and that what they denominate now as "scuttle," as opprobrious, is exactly what they said in the beginning they intended should be done.

When I read speeches of that kind I am generally called on to read some from the Senator from Wisconsin [Mr. SPOONER], because he has been about as emphatic on that subject as any man could be. I hope the Senate will bear in mind the purpose for which I read these extracts, and the application which I ask shall be made of them. The purpose which I have is to show that the very thing which we ask to be done is the thing which they said in the beginning should be done, and if there has been any change it has been in them and not in ourselves.

In the speech by the Senator from Wisconsin [Mr. SPOONER] on the 2d day of February, 1899, which was published by him in pamphlet form, on page 31, the Senator used the following language:

But, Mr. President, I shrink from the notion that the interests of this country will be subserved by making permanently a part of our land territory thousands of miles away, inhabited by peoples alien to us, not of our blood, not of our way of thinking, foreign to all our associations, living in a tropical climate, where the white man can not work, under labor conditions of necessity which we would not permit to exist in the United States.

Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.

I have to skip along, because otherwise as it is all of it very much on the line, I would read the entire speech, but I have not time to do that and I only select certain parts. Speaking of the flag and the pulling down of the flag, the Senator said:

To-day it floats in Cuba: the Spanish flag has gone forever, but our flag is not there to stay. It floats there in sight of the poor, wrecked *Maine* at Habana, but there will come a day, Mr. President—and I hope it will not be long—when we will take down our flag, raised there in the cause of liberty, and leave behind it liberty and an independent government, won and established under its folds.

I only read that for the connection of the next sentence:

I hope that, too, about the Philippines, and that is not at all inconsistent in my view with the ratification of the pending treaty.

Again, in the same speech, the Senator said:

I can not say, in view of the history of the country, that time may not change my views, but I must say that, as I now feel, if the ratification of this treaty involved permanent dominion by the United States over the archipelago and its people as a Territory of the United States, irrevocably committed us to the policy of territorial expansion, I could not give it my vote.

I hope the Senator will, unless he recollects this very well, give me his attention, because I want to recall it to him.

Mr. SPOONER. I recollect it perfectly.

Mr. BACON. Then I am reading it for the benefit of others. I am delighted to know that the Senator recollects it, because if he does he must admit the application I am going to make of it.

Mr. SPOONER. I will wait until I hear your application.

Mr. BACON. The Senator from Wisconsin further said:

Again, Mr. President, the whole matter will be within our own hands. If we find we can not get on with the Filipinos: if, after studying the conditions over there, our people find we can not without strife and intolerable burdens do them any good, we can then cede the sovereignty to them and sail away. We will not then be running away from a responsibility at first sight. We will not subject ourselves to possibly the just charge of cowardice by other nations. We will have left them then, after having made every honest effort in our power, upon the solid foundation of Spain's sovereignty and title, to help them to benefits which they would not have. We will have attempted to shower upon them blessings which long-continued tyranny has deprived them of the power to appreciate.

Mr. President, I commend to all who may feel an interest in the subject the entire speech of the Senator, much of which is on that line.

Now, for the application which I make of it, and I am going to make the application not only as to the Senator from Wisconsin, but to a half a dozen others whose utterances to the same effect I am going to read. The charge is that to leave the Philippine Islands is an abandonment of the purpose for which we went there; that it is what is commonly and opprobriously denominated scuttle; in other words, backing out.

That speech was made before the ratification of the treaty of peace, and it was made in advocacy of the ratification. I say that before the ratification in that speech the Senator from Wisconsin committed himself to the proposition plainly that so far as he was concerned the purpose was not the permanent retention of the islands, and that so far as he was concerned if that were the purpose he would not vote for it, and he recognized that it would be a legitimate act after we had ratified it to establish a government there for the benefit of the people and leave them there. It does not lie in his mouth to say that it is "scuttle," that it is backing out, that it is an abandonment of the original purpose, when the minority now advocates the course which the majority then said would be pursued. That is the application

which I make of it and which I think is an absolutely legitimate one.

But the Senator was not alone in that statement. As I said, the speech from which I have quoted abounds in repetition in one way or another of that same thought. It was only because of the fact that those statements were made by Senators that the ratification of that treaty was secured, and there are Senators now members of this body who have stated, and will continue to state, that in the absence of those assurances that it would be considered a proper thing to leave the Philippine Islands they would never have voted for the ratification of the treaty, and without their votes it could not have been ratified.

The Senator from Ohio [Mr. FORAKER] used language which I shall also read. I want to say that the Senator from Wisconsin, if I do not err, has in this Congress, certainly if not in this in the last, affirmed that he still approved of everything he then stated. If so, upon what possible grounds can the Senator assume that those who now propose to do what he then said he would favor and which he would approve are guilty of a base abandonment of a purpose to the contrary.

The Senator from Ohio used this language on that subject in the same debate:

I do not understand anybody to be proposing to take the Philippine Islands with the idea and view of permanently holding them and denying to the people there the right to have a government of their own, if they are capable of it and want to establish it. I do not understand that anybody wants to do that. I have not heard of anybody who wants to do that. The President of the United States does not, I know, and no Senator in this Chamber has made any such statement.

Now, Mr. President, there is a statement from the Senator from Ohio to the same effect.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. With pleasure.

Mr. FORAKER. I submit that if the Senator gives a part of a statement of that character he ought to give all of it. What the Senator has quoted from a speech I made on the occasion referred to is only a part of what was said by me at that time. I was interrogated by the Senator from Massachusetts [Mr. HOAR] and others, and in connection with that, as a part of the same colloquy, occurs what, if the Senator will allow me, I should like to insert here. I think it is only fair that it should be so inserted.

Mr. BACON. If the Senator will insert it without reading, I have no objection.

Mr. FORAKER. It will take but a minute.

Mr. BACON. I think I ought to be allowed to proceed.

Mr. FORAKER. I do not think it is unreasonable, inasmuch as the Senator did not quote all of it, that I should insist upon its being inserted here.

Mr. BACON. Very well.

Mr. FORAKER. I then said:

I think when we come to consider the question of policy with respect to the Philippines, the conditions there existing, their feeling of friendship, or their feeling of consent or of objection will have much to do with determining Congress in that respect. I say I do not know of anybody, from the President of the United States down to his humblest follower in this matter, who is proposing by force and violence to take and hold those islands for all time to come. That is all I can say in answer to the Senator.

Mr. BACON. Mr. President, I do not think that changes the proposition. I will not reread it. It will be in juxtaposition, and people can judge for themselves.

The Senator from Massachusetts [Mr. LODGE] used the following language in that debate:

Suppose we ratify the treaty. The islands pass from the possession of Spain into our possession without committing us to any policy. I believe we shall have the wisdom not to attempt to incorporate those islands with our body politic or make their inhabitants a part of our citizenship. I believe we shall have the wisdom, the self-restraint, and the ability to restore peace and order in those islands and give their people the opportunity for self-government and for freedom under the protecting shield of the United States until the time shall come when they shall stand alone.

Mr. President, that is all we are asking now. If Congress will simply announce that it is the purpose to let these people stand alone, and that it is the purpose to proceed in a safe and leisurely manner, if you please, to accomplish that end, but that the ultimate end is to cut off from us this excrescence of colonialism and to give freedom to that people, we will not quarrel with them as to the time within which it shall be done or the particular methods. What we object to is a policy which adheres to colonialism, which refuses to say that it is not the purpose to maintain it as the permanent policy of this Government, and which step by step, in the absence of a declared policy, has a tendency to fasten it upon the country with more and more indissoluble bonds.

But that is not the point I am now after. The point I am after is that these Senators at the time announced that they did not consider that the permanent retention of the islands was the policy, and that therefore the proposition now not to hold them is not entitled to the condemnation of being scuttle or any other improper abandonment.

The Senator from Massachusetts [Mr. LODGE] also said:

I want no subject races and no vassal States. That we had by the fortunes of war assumed a great responsibility in the Philippines; that we ought to give to those people an opportunity for freedom, for peace, and for self-government.

I want to get this country out of war and back to peace. I want to get the disposition and control of the Philippines out of the hands of the war power and place them where they belong—in the hands of Congress and the President. I want to enter into a policy that shall enable us to give peace and self-government to the natives of those islands.

Both by the Senator from Ohio and the Senator from Massachusetts, as well as by the Senator from Wisconsin, there is a distinct declaration that the ratification of that treaty and the acquisition of those islands were not, in their opinion, acts which committed us to the permanent retention of the islands. That being so, the proposition in a proper way to be rid of the islands is not an abandonment of the original purpose.

Now, Mr. President, there are similar extracts which I have here from the Senator from Colorado [Mr. TELLER], who has been consistent from the beginning and who is consistent now:

There are few people in the world incapable of self-government. I believe the people of Luzon are capable of self-government now. I believe the people of some of the islands are? I do not know but all are. Mr. President, I keep in view this truth which I have stated, which I believe to be a truth, that the people are entitled to a government of their own making, and that we have no right to say, "Your standard is so low you will create a government which we can not affirm; therefore you can not have a government of your own." They are entitled to only such a government as they themselves can maintain; it must be one producing order and protection to persons and property, for otherwise it is not a government at all.

He continued:

We shall make a mistake if we make up our minds that we are going to govern these people from here, that we are going to govern them with Anglo-Saxons whom we send out there from here to administer the affairs of that country. You will need 50,000 soldiers; in a little while you will need more, for they are a great people. They are a people who are willing to contend for their liberty, and I believe it also to be an axiom that a people who will fight for their liberty and who are willing to die for it are capable of maintaining it.

I also read one from the Senator from Vermont [Mr. PROCTOR], as follows:

I am not in favor of annexation, not because I would apprehend any particular trouble from it, but because it is not a wise policy to take in any people of foreign tongue and training and without strong guiding American elements.

Also one from Mr. Thurston, then a Senator from Nebraska, as follows:

I am unalterably opposed to any departure from the declared policy of the fathers, which would start this Republic, for the first time, upon a career of conquest and dominion utterly at variance with the avowed purpose and manifest destiny of our republican Government.

And one from the Senator from South Carolina [Mr. McLAURIN], as follows:

It is idle to speak of Americanizing a tropical country 8,000 miles away. Our people will never consent for the people of that far-off land to ever have a voice in the affairs of our country. Therefore, to govern them we must inaugurate a military or colonial system utterly at variance with the principles of our Republic. But even if by a strained construction of the Constitution the power is vested in the United States to inaugurate a colonial system, I am utterly opposed, as a matter of policy, to the acquisition of any territory that can not be Americanized and brought into harmony with our institutions. I believe the time is not far off, and I gladly welcome its approach, when our flag will float over every foot of North American soil, but it must come naturally and peacefully—by the consent of the governed, not by the rude hand of war.

But when it comes to thrusting our rule upon 10,000,000 people on another continent by force of arms, I hold that such a policy is unwise as well as at variance with the principles upon which our Government is founded. Taxation without representation is as much tyranny as when King George's tea was dumped into Boston Harbor. To govern the people of the Philippines without their consent is as much government without the consent of the governed as it was when we were under the rule of Great Britain.

In a commercial point of view, I believe the importance of the Philippines per se is greatly exaggerated. They are chiefly valuable as the key to the Orient, but we need not colonize to obtain that advantage. The exports of the Philippines, according to the statistical abstract, in 1896 amounted to \$30,806,250. If this entire trade was monopolized by us it would be insignificant. We will have to teach them to wear shirts and breeches before we can trade with them much.

And one from Mr. Gray, of Delaware, as follows:

Now we have them, it does not follow that we are committed to a colonial policy or to a violation of those great principles of liberty and self-government which must always remain American ideals if our own free institutions are to endure. No country, and this country least of all, can afford to trample on its ideals. I have no fear that it will do so.

He went further:

I assure you, with some knowledge of whereof I speak, that the President is committed to no policy calculated to discourage, much less strike down, the aspirations of liberty-loving people all over the world.

Mr. President, in this connection the point to which I wish to call the attention of Senators is that there is no set of resolutions that has ever been introduced into the Senate by anyone who was opposed to the imperialistic policy which ever proposed that we should leave those islands without ceremony, without regard to the question whether there was a government there which could protect the people from any disorder. Every set of resolutions

which has ever been presented, whether by a committee or by an individual Senator, has declared as the basis of the proposition that there should first be erected in those islands a stable government.

The purpose thus declared by Senators in the extracts from their speeches is the purpose which the opponents of the present bill now seek to accomplish. Not only so, but every effort which has been made by the minority in opposition to an enforced colonial policy has been consistent with the purpose thus declared by those Senators and by others. There has never been any effort or purpose to make a dishonorable or inglorious retreat from the islands. There has never been any purpose that our Government should leave those islands until order was restored and a stable government was established in them. There has never been a purpose that the flag of the United States should be taken down until it was taken down voluntarily and in honor, just as it has been taken down voluntarily and in honor in Cuba.

What is proposed by the minority is to aid the Filipinos in establishing a free government for themselves, just as we have done in Cuba, and one of the principal objections to the pending bill is that it takes no step in that direction.

We have sent two commissions to govern the islands. Both of these commissions have been composed of men of distinguished ability. Each of these commissions, after great labor in investigating conditions, has recommended that the Filipinos be authorized to participate through representative bodies in the control of their own central government.

Admiral Dewey, in a letter to the Secretary of the Navy, June 27, 1898, said the Filipinos were far superior to the Cubans. This letter is found in the report of the Secretary of the Navy for 1898, vol. 2, page 103. August 29 he wrote the Secretary of the Navy that further intercourse with them had confirmed him in that opinion. I have made a similar inquiry of numbers of officers who have served both in the Philippines and in Cuba, and their testimony is uniformly to the same effect.

We have adjudged the Cubans as capable of self-government. We have spent four years in preparing them for their task, and finally we have established them as an independent republic. Why should we deny this to the Filipinos? We have a right to the greatest pride and self-gratulation upon our disinterested and noble work in Cuba. Through all the ages it must redound to our honor and glory. And still greater will be the honor and the glory if we shall give a free government to the Philippines.

